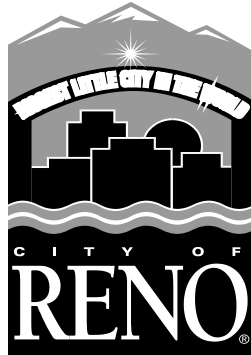


City of Reno



Civil Service Commission

**Rules and Membership
March 2014**

CIVIL SERVICE COMMISSION
Membership
March, 2014

<u>Commissioners</u>	<u>Term Expires</u>
Jeannie Atkinson, Chairperson	July, 2015
Bertha Mullins, Vice-Chairperson	July, 2016
Tray Abney, Commissioner	July, 2018
Darrin Georgeson, Commissioner	July, 2015
John Hester, Commissioner	July, 2014
Paul Lane, Commissioner	July, 2017
Jenny Martinez, Commissioner	July, 2015

Civil Service Department

Ric Bailey, Chief Examiner	775.334.2223
Jo Ann Malugani, Civil Service Technician	775.334.2223

**RENO CIVIL SERVICE COMMISSION
RULES AND REGULATIONS**

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INTRODUCTION - SUMMARY OF CIVIL SERVICE

The Civil Service Commission (“Commission”) is mandated by the Nevada State Legislature in the Reno City Charter, Chapter 662, Statutes of Nevada 1971, as amended (“Charter”). A copy of the Charter is included in the back of this Rule Book. The Commission is an autonomous body of seven (7) residents of the City of Reno with no other connection with the City government who are appointed to five (5) year terms on succeeding years by the Mayor with approval of the City Council. It is their charge and authority to provide the City of Reno with an efficient work force, with equity to all persons concerned.

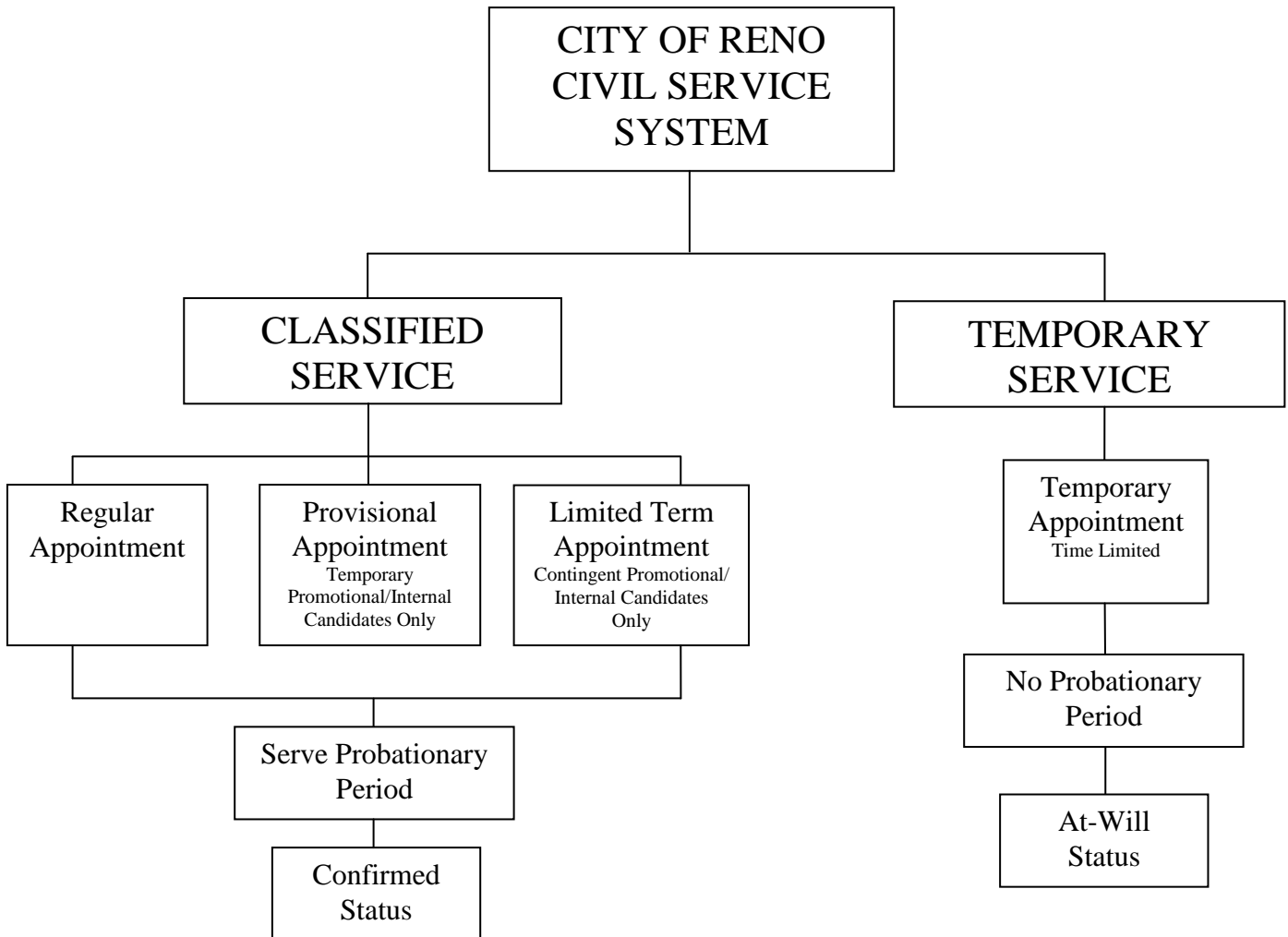
It is the Commission's task to supervise the merit system of competition and fitness in procedures for recruiting, evaluating, selecting, employing, promoting and retaining all employees in Civil Service within the City. They receive and evaluate all applications for employment in the City's Civil Service, administer written and oral examinations, establish eligible lists, and certify eligibles for all Civil Service classifications. They function as an appeal tribunal for confirmed classified employees within Civil Service regarding dismissal, demotion, suspension and disciplinary actions. It is their duty to establish career paths on which classified employees within Civil Service may progress to mutual advantage. They are responsible for all Civil Service classified employee transfers. It is also their responsibility to assure equal employment opportunities to persons of all races, colors, sexes, sexual orientation, marital status, gender identity or expression, disability, ages, national origins, religious beliefs and political or organizational affiliations.

Pursuant to Charter §9.020, the City of Reno Civil Service system covers all employees of the City except for those specifically exempted under Charter.

For illustrative purposes only, an overview of the City of Reno Civil Service System is provided on the following page.

Pursuant to Charter §9.070, the Commission shall appoint a Chief Examiner who shall serve at the pleasure of the Commission. Pursuant to Charter §9.150, the City Council shall provide to the Commission such employees, facilities and funds reasonably necessary and proper for the purpose of enabling the Commission to accomplish its functions and purposes set forth in Charter.

OVERVIEW OF CITY OF RENO CIVIL SERVICE SYSTEM



CIVIL SERVICE RULES AND REGULATIONS
for
THE CITY OF RENO, NEVADA

Pursuant to the provisions of Article IX of the Reno City Charter (“Charter”), the Civil Service Commission of the City of Reno, Nevada (“Commission”) hereby prescribes the following rules and regulations (“Rules”) relating to the employees of the City of Reno within the provisions of said Article IX. In all cases not governed by Constitutional provisions, the Nevada Revised Statutes, the Charter of the City of Reno and these Rules, the latest edition of Robert’s Rules of Order, by Henry M. Robert, shall apply.

RULE I. PURPOSE AND APPLICATION

Section 1. Purpose.

The general purpose of these Rules is to establish uniform methods of practice and procedure for the administration of the Civil Service program as provided in the Charter. The intent of the Charter is interpreted to require that the City of Reno and its Civil Service employees shall have reasonable assurance that employment matters will be dealt with on a uniform, equitable basis so that the citizens of Reno may derive the benefits and advantages which can be expected to result from a competent staff of Civil Service employees. Merit principles of competition and fitness shall govern in the procedures for selection, employment, promotion and retention.

Section 2. Application.

These Rules shall apply to all City of Reno Civil Service positions and offices.

Section 3. Meetings.

At least one (1) regular meeting of the Commission shall be held each calendar month at a time and place agreed upon by the Commission. All meetings shall be open to the public and notice of the meeting shall be published in accordance with the requirements of Nevada's Open Meeting Law. Additional or special meetings may be called by the Chairperson.

- (a) Regular attendance at Commission meetings by the members is expected by the Chairperson, the Mayor and the Reno City Council.
- (b) Three (3) consecutive unexcused absences by a Commission member from regular or special Commission meetings shall result in the “automatic resignation” of that member. Absence from a series of meetings pertaining to one (1) subject such as an appeal or otherwise shall be deemed an absence from one (1) meeting only for purposes of this rule. An unexcused absence is an absence that has not been noticed by a Commission member to the Chairperson or Chief Examiner prior to the next meeting.
- (c) An “automatic resignation” may be appealed to the Mayor and Reno City Council for reinstatement. The appeal shall be initiated by the Commission member and filed with the Reno City Council within thirty (30) calendar days following notification that the Commission member is subject to an “automatic resignation” from the Commission.

Section 4. Equal Employment Opportunity.

The City of Reno is an equal opportunity employer. As such:

- (a) All persons are entitled to apply for and participate in any recruitment opportunity within the City of Reno Civil Service, provided they are qualified and successfully complete the recruitment and examination process in a manner consistent with these Rules and the requirements published in the job announcement; and
- (b) Pursuant to Charter §9.010, all appointments and promotions to positions in Civil Service must be made on the sole basis of merit and fitness, without regard to non-job-related considerations.

Section 5. Prohibited Acts.

Appointments to and/or removal from a position in Civil Service shall not violate the provisions of Charter §9.160 or any other law of the State or the United States relating directly thereto ("Prohibited Acts"). Sections 9.050 and 9.270 of the Charter and Rule XIV governing appeal rights of Civil Service classified employees in regards to dismissal, demotion, suspension and disciplinary actions will be applicable to appeals of alleged improper adverse actions premised upon Prohibited Acts, in accordance with such provisions

Section 6. Severability.

If any section or part of any section of these Rules is held by any court to be invalid or unconstitutional, the same shall not invalidate or impair the validity, force or effect of any other section or part thereof.

RULE II – COMMISSION ORGANIZATION

Section 1. Commission Chairperson.

The Commission shall select one (1) of its members to serve as Chairperson and one (1) other member to serve as Vice-Chairperson for a period of two (2) years beginning with the first regular meeting in July of each odd numbered year.

Section 2. Presiding Officer.

The Chairperson shall preside at all meetings of the Commission. In the absence of the Chairperson, the Vice-Chairperson will serve as Chairperson.

Section 3. Staff.

- (a) The staff of the Commission will consist of a Chief Examiner and such assistants and employees as may be required to administer the Civil Service system. The Chief Examiner, or his or her authorized designee, shall be empowered to act for and in the name of the Commission in the conduct of daily routine business and in other matters relating to the administration of these Rules as authorized by the Commission.
- (b) The Commission will establish the compensation, benefits and terms of employment for the Chief Examiner, consistent with other City employee management groups.

Section 4. Rules.

All Civil Service rules shall be established in accordance with Article IX of the Charter.

- (a) Any proposed addition or amendment to these Rules shall be processed by the Chief Examiner. The Commission will meet and hear objections to the adoption of such proposed amendments or modifications. A copy of the meeting notice and each proposed rule shall be given in writing to the Mayor and members of the City Council, the City Manager, the head of each department and the president or secretary of each employee organization formally recognized by the City, and shall be posted on the bulletin board and in conspicuous places accessible to employees affected by such proposed amendment or modification and the City's website not less than ten (10) calendar days prior to the date of said meeting.
- (b) At the meeting, the Commission will permit a representative of the City Council or the City Manager, or both, as well as employees, their representatives, and members of the public, to comment on any proposed rule. A copy of all rules adopted and all changes in them shall be filed in the Office of the City Clerk, posted on the City's website, and may be distributed in such other format as the Commission deems appropriate.
- (c) Pursuant to Charter §9.060(1), any amendment of the rule governing the number of qualified persons certified to the appointing authority on the Civil Service eligibility list shall not become effective until that amendment is approved by the City Council.
- (d) Pursuant to Charter §9.060(4), the head of each department may adopt procedures for the governance of his or her department not inconsistent with the provisions of the Charter and the Rules of the Commission adopted thereunder.

RULE III – DEFINITIONS

- 1. Advanced Qualification: Commission approved minimum qualifications that exceed those usually required in order to select and hire candidates that have successfully completed an occupationally required training academy or an approved performance standard.
- 2. Applicant: A person who completes and files an employment application for a position within Civil Service.
- 3. Appointee: A person who has been employed in a Civil Service position.
- 4. Appointing Authority: The City Manager or his or her delegate.
- 5. At-Will Employee: A person whose employment by the City may be terminated at any time, with or without advance notice, and with or without reason, by the City.
- 6. Candidate: A person who is verified as meeting the minimum qualifications for the classified service position they are seeking and who is in the process of selection but has not attained status as an eligible certified candidate.
- 7. Certification: The official release of names of applicants who have successfully completed the Civil Service competitive recruitment and examination process and are placed on the eligible list for appointment consideration.

8. Charter: The Reno City Charter, Chapter 662, Statutes of Nevada 1971, as amended.
9. City Manager: The duly appointed City Manager of the City of Reno, County of Washoe, State of Nevada.
10. Civil Service Employees: All employees of the City of Reno who are now or shall hereafter be included under the provisions of Article IX of the Charter.
11. Civil Service: All positions now existing or hereafter created by the City of Reno, not specifically exempted by the Charter, which have been determined to be covered under the rules and regulations of the Commission, including but not limited to positions in the classified and temporary service.
12. Classification:
 - (a) A single position; or
 - (b) A group of positions sufficiently similar in respect to their duties and responsibilities that: (i) the same title may be used to designate each position allocated to the classification; (ii) the same minimum requirements for work may be required for all incumbents; (iii) the same selection and examination process may be applied; and (iv) the same schedule of compensation may be applied with equity under the same or substantially the same working conditions.
13. Classification Plan: A listing of all the class specifications which have been established by the City and whose minimum qualifications have been reviewed and approved by the Commission.
14. Class Specification: A written description of a class, consisting of a title, a definition, examples of duties, and the minimum qualifications required and which may serve to consolidate all job descriptions which are the same or similar in degree of responsibility or complexity or require the same skill, knowledge or experience to perform, and from which is determined the basic levels required to perform satisfactorily the work of any one of such positions.
15. Classified Employee: An employee who has been hired to fill a position in the classified service.
16. Classified Position: A position in the classified service which performs work of a continuing nature, the expected duration of which is longer than six (6) calendar months.
17. Classified Service: All regular positions now existing or hereafter created by the City of Reno, not specifically exempted by the Charter, which have been determined to be covered under the rules and regulations of the Commission, which the Commission has determined must be filled according to merit principles of competition and fitness from eligible lists, and under which employees are eligible to receive or have received confirmed employee status.
18. Commission: The duly appointed Civil Service Commission of the City of Reno, County of Washoe, State of Nevada.
19. Confirmation: Action taken by the Commission affirming that an employee has successfully completed the probationary period in a classified position and attained confirmed employee status.
20. Confirmed Employee: An employee who has successfully completed the applicable probationary period for the classification held, has received confirmation, and is entitled to the rights and privileges provided to confirmed employees in the classified service under these Rules.

21. Demotion: The reduction of a classified employee, through Civil Service procedures, from one classification to another having a lower pay grade than the classification held prior to demotion.
22. Department Head: The duly appointed managing director of any department.
23. Disciplinary Action: A personnel action taken against a Civil Service employee who has violated the policies, rules or authority governing work. Discipline may include, but is not limited to suspension, demotion or dismissal.
24. Discrimination: Making employment decisions on an employee's protected class status, such as sex, race, color, religion, national origin, age, marital status, sexual orientation, gender identity or expression, or disability, instead of his or her qualifications, except when based upon a bona fide occupational qualification or as otherwise authorized by law.
25. Eligible Certified Candidate: A person who has successfully completed an examination consisting of one or more tests as determined by the Chief Examiner, and is available to be appointed to a vacant position in the classified service for which they have qualified.
26. Eligible List or Eligibility List: A list of names of applicants who have passed the prescribed entrance or promotional examinations for positions in Civil Service, in the order of final ratings earned.
27. Emergency: An occurrence or threatened occurrence which is defined by the laws of the State of Nevada as and is declared to be an emergency for which it is determined that the assistance of state or federal agencies is needed to supplement the efforts and capabilities of the City of Reno, which may include a disaster or local emergency, such as a riot, military action, flood, fire, storm, earthquake, epidemic, sudden and severe energy shortage, civil disorder, or other similar conditions, which poses a substantial immediate or imminent threat to the life, health and/or safety of the public, City infrastructure, and/or community property.
28. Examination: A method of evaluating the fitness of an applicant to hold a position under the provisions of the Charter and these Rules.
29. Full-time Employee: A person whose standard work schedule is one hundred percent (100%) of the full-time equivalent hourly work schedule established for the position. Full-time refers to the schedule of hours worked, not the type of position to which the employee has been appointed. Full-time employees can therefore be employed in either the classified service or the temporary service.
30. Harassment, Illegal Act(s) and Other Prohibited Acts: The act of subjecting an individual to unlawful forms of harassment, treating an individual differently because of that person's membership in a protected class, or otherwise taking action based on reasons which are prohibited by law.
31. Incumbent: A person who currently holds a position in the classified service.
32. Job Description: A detailed listing of the representative duties, tasks, operations and responsibilities undertaken and performed in the execution of the job.
33. Laid-Off-List: A list of names of classified employees who have been removed from City service because of a reduction in staff as determined by the City Council pursuant to Charter §9.140.

- 34. Leave of Absence: A period of excused absence with or without pay from a position in the classified service which has been approved and granted in the manner set forth in these Rules.
- 35. Limited Term Appointment: Limited term appointments are promotional appointments to positions in the classified service from a Civil Service eligible list for a period of time which may be in excess of six (6) calendar months and may be for a definite or indefinite period of time contingent upon an anticipated event occurring.
- 36. Minutes: The official record of meetings of the Reno Civil Service Commission.
- 37. Part-time Employee: A person whose standard work schedule is less than one hundred percent (100%) of the full-time equivalent hourly work schedule established for the position. Part-time refers to the schedule of hours worked, not the type of position to which the employee has been appointed. Part-time employees can therefore be employed in either the classified service or the temporary service.
- 38. Personnel: All employees of the City of Reno who are now or shall hereafter be included under the provisions of Article IX of the Charter.
- 39. Probationary Employee: An employee appointed to a position in the classified service who has probationary status and has not been confirmed in the classification.
- 40. Probationary Period: That period between appointment of an applicant to a position in the classified service and his or her confirmation to such position in the manner set forth in these Rules.
- 41. Promotion: Progression of a classified employee, through Civil Service procedures, to a position in a classification which has a higher pay grade than the classification held.
- 42. Provisional Appointment: A non-status, short-term appointment of a qualified classified employee to a position in the classified service when no approved eligible list exists or no applicants on an eligible list are available for appointment.
- 43. Provisional Employee: A classified employee who has been appointed to temporarily fill a position in the classified service for the period necessary to complete competitive examination and establish an eligible list.
- 44. Rating: An evaluation, appraisal, score or grade given in any selection process.
- 45. Reclassification: The reassignment of a position on the classification plan.
- 46. Re-employment List: A list of names of applicants who have resigned or taken a voluntary demotion in good standing from a position in the classified service, or whose time on a laid-off list is due to expire, who notify the Chief Examiner of their request to be placed on a re-employment list.
- 47. Reinstatement List: A list of names of classified employees who have been laid off and have precedence or priority over all others in certification for recall for appointment as more specifically provided in these Rules.
- 48. Resignation: The voluntary separation of an employee from Civil Service.

49. Retirement: The separation of an employee from Civil Service within the provisions of the Public Employees Retirement System of the State of Nevada, or any retirement system which shall hereafter be adopted by or imposed upon the City of Reno.
50. Selective Certification: The certification of a person for inclusion on a Civil Service eligibility list for a position based upon specialized knowledge, skills or abilities of the person, in addition to those required to meet the minimum qualifications for the position, that are required to perform the duties of the position successfully.
51. Seniority Credit: The numerical credit allowed for years of continuous service in a position in the classified service in any department or division.
52. Suspension: The disciplinary removal of an employee from a classified position for a specified period of time with loss of pay.
53. Temporary Appointment: A time limited, short-term appointment of a qualified person to a position in the temporary service.
54. Temporary Employee: An employee who has been hired to fill a position in the temporary service.
55. Temporary Service: All positions now existing and hereafter created by the City of Reno, not specifically exempted by the Charter, which are covered by Civil Service and which are filled on a temporary appointment basis for a finite period of time as more specifically defined in these Rules.
56. Termination: The involuntary removal of an employee from Civil Service.
57. Test: One (1) section of an examination series.
58. Transfer: A noncompetitive appointment in which a classified employee moves from one classified position to another in the same classification or a related classification with the same pay grade.

RULE IV – APPLICATIONS AND APPLICANTS

Section 1. General Provisions.

- (a) All applications shall be addressed to the Commission. Such application must be completed and certified by the applicant or as directed upon the application, must be made on a form provided by the Commission, must state the position to which the applicant seeks appointment and must contain the following information.
 - (1) Full name and address.
 - (2) Statement of work status: “Can you work legally in the United States?”
 - (3) Age requirement qualifications: Reno Police Officer applicants must be a minimum age of twenty-one (21) years; all other Civil Service positions require a minimum age of eighteen (18) years or the minimum approved age, whichever is lower. “Do you satisfy the age requirement for the position for which you are applying?”
 - (4) Business or employment, including volunteer and military experience, for at least the past three (3) years.
 - (5) Extent, place and nature of education.
 - (6) Whether ever convicted of a crime and details thereof.

- (b) The Chief Examiner shall reject the application of any person which is not written on the prescribed form and filed within the period specified in the job announcement or which indicates on its face that the applicant:
 - (1) Does not possess the minimum qualifications required for the position.
 - (2) Has made any false statements of any material facts or practices, or attempted to practice any deception or fraud in his or her application.
- (c) If an application has been accepted by the Chief Examiner, and the applicant is later found to lack the requirements, or to violate the Rules prescribed herein, the Chief Examiner shall reject the application; or after examination, shall disqualify a successful candidate and remove that candidate's name from any eligible list upon assent by the Commission.
- (d) Whenever an applicant is rejected, notice of such rejection shall be mailed to the applicant within fifteen (15) working days by the Chief Examiner or his or her designee. Defective applications may be returned to the applicant with notice to amend the same, and the application may be amended and re-filed. To be considered, re-filed applications must be received before close of the filing deadline established in the job announcement.
- (e) No individual employed by the City of Reno as an elected official, the City Manager, a department head or assistant or deputy department head, or any member of the City of Reno board, agency or commission established by Nevada Revised Statutes, elected or appointed, shall hire or appoint to any Civil Service position on behalf of the City of Reno any relative of such elected official, City Manager, department head or assistant or deputy department head or any member of a City of Reno board, agency or commission established by Nevada Revised Statutes, elected or appointed, within the third degree of consanguinity or affinity.

Section 2. Compliance with Federal Records Keeping Regulations.

All applicants shall be encouraged to voluntarily complete a Background Survey Questionnaire which will give statistical information required by Federal Guidelines regarding applicant and candidate age, sex, race, ethnicity, and disability status. Such Questionnaire will be disassociated from the Application for Employment immediately upon receipt and shall not be considered at any time for employment decisions.

RULE V – CLASSIFICATIONS

Section 1. General.

- (a) Pursuant to Charter §9.180, the City Manager may adopt and revise specifications for the classes of positions in the Civil Service. Under this Charter provision, each class specification shall include a title, a definition or statement of the characteristics of the class, a list of typical tasks or examples of the duties of the class, and a statement of the desirable minimum qualifications of employees in the class.
- (b) Pursuant to Charter §9.180, the Commission is charged with responsibility for reviewing and approving the minimum qualifications of each Civil Service classification, prior to implementation thereof, as part of its responsibility for recruiting and selecting employees.
- (c) The City shall administer a classification plan for all Civil Service positions in the City of Reno. Each Civil Service position covered under the classification plan shall be designated by classification title and specification number. No appointment to any classification within Civil Service shall be made except as provided by these Rules.

Section 2. Job Surveys.

The Chief Examiner may conduct surveys for job requirements, classification relationships, and lines of progression for each position within Civil Service, as appropriate.

Section 3. Classification Titles.

Classification titles for each position in Civil Service shall be, as nearly as possible, descriptive of the general duties attached thereto, and shall be the same for all offices and places requiring the same service. Such classification titles and specification numbers shall be used to designate employees' positions or jobs in all official communications, reports and Civil Service records.

Section 4. New and Revised Class Specifications.

Class specifications for new and/or revised positions will be prepared by the City Manager or his or her delegate and presented to the Commission for review and approval of the minimum qualifications.

Section 5. Reclassification.

Whenever duties or responsibilities of a classified position change to the extent that they are no longer representative of the assigned classification, the position may be reclassified by the City Manager.

- (a) Whenever a classified position is reclassified which involves a promotion, the incumbent shall be required to take and pass the current Civil Service examination for the new classification before the promotion may take effect.
- (b) Whenever the qualifications of a classification are adjusted upward, all incumbents holding that classification shall be deemed to possess such qualifications; such adjustment shall not affect their present status provided any requirement imposed by local, state or federal law is met, as required by the local, state or federal law.
- (c) Should the reclassification result in down grading, the affected employees may retain the reclassified position at the lower level or may request a transfer to another classified position in their present classification as provided in Rule X. Section 2(b). Upon a request for transfer, the affected employee shall accept transfer to the first available classified position at which time the reclassification shall be implemented. Failure to accept transfer to the first available classified position shall result in reclassification to the lower position.

RULE VI – RECRUITMENTS AND EXAMINATIONS

Section 1. General.

- (a) Section 9.010 of the Charter states that all appointments and promotions to positions in Civil Service must be made on the sole basis of merit and fitness, without regard to non-job related considerations. In keeping with this mandate, the Commission shall provide for a competitive recruitment and examination process for all positions within the classified service in accordance with the requirements of these Rules.
- (b) The Commission may refuse to examine applicants or, after an examination, to certify candidates and remove names from the eligible list for any of the following reasons: 1) Dismissal from City of Reno employment, for cause; 2) Intentionally false statement of any material fact in securing examination, certification or appointment; and 3) Any other willful violation of these Rules.

Section 2. Recruitment.

The Chief Examiner shall determine the type of recruitment to be used based on consideration of the number of current or anticipated vacancies and anticipated number of applicants. Such recruitments may be held on an open competitive or promotional basis or a combination of the two. In making this determination, the Chief Examiner shall consider the potential size of the applicant pool and evaluate the need to provide a fair and equal opportunity for public service, the composition of the existing workforce in relation to the community served, the needs of the department, and opportunity for promotion. If practical, such recruitments may be initiated prior to expiration of an eligible list.

Section 3. Examination Series.

An examination series for appointment within the classified service, whether for original or promotional appointment, may consist of written, oral, performance, or physical tests, or any combination thereof, to include use of assessment center techniques as determined by the Chief Examiner. All examinations shall be based on the job description and shall relate to those matters which shall fairly test the knowledge, skills and abilities of the applicant to successfully discharge the essential duties of the position to which appointment is sought. If an applicant shall fail one of the prescribed tests in an examination series, that applicant will not be eligible to complete the series, unless otherwise ordered by the Commission for the good of the service.

Section 4. Job Announcement.

- (a) The Chief Examiner shall be responsible for the creation and posting of job announcements for all positions in the classified service. These job announcements will be based on, but shall not be limited to, information provided by the City, its employees, existing records and class specifications, including the use of job surveys and analysis which may provide more current information than the available class specification.
- (b) Notice of job announcements shall be posted in the office of the Commission as well as forwarded to departments and divisions, and given such other publicity as deemed necessary by the Chief Examiner, after consultation with the department. Such notice shall describe the position vacancy, the character of the examination(s) to be used, and the qualifications required of applicants (including a minimum age, if applicable), together with such other information and/or direction as the Chief Examiner may deem appropriate. Job announcements shall fix the period in which applications will be received.

Section 5. Filing of Applications, Corrections, and Notifications of Testing.

- (a) No person shall be admitted to any examination for a position in the classified service who has not completed and submitted an application upon a form provided by the Commission which shows the applicant has met the requirements stipulated by these Rules. No information shall be requested, or accepted, on the application form which reveals religion, religious belief, religious, organizational or political affiliations, membership or non-membership in an employee organization, race, color, age, sex, sexual orientation, disability, national origin, marital status, or gender identity or expression of the applicant, except when based upon a bona fide occupational qualification or as otherwise authorized by law.
- (b) Applications found to be incomplete or incorrect may be returned to be corrected and re-filed, provided re-filed applications, to be considered, must be received before close of the filing deadline established in the job announcement.

- (c) Upon determination by the Chief Examiner or his or her designee that an applicant is qualified to take the required examination(s), a written notification designating the time and place of examination shall be mailed to the applicant. An identification with photograph will entitle applicants to enter the place for examination.

Section 6. Waiver of Qualifications.

- (a) In order to expedite an examination process or the development of eligible lists, the Chief Examiner may, upon a showing of good cause, change or modify the adopted minimum qualifications, subject to subsequent review and approval by the Commission.
- (b) The Commission by action may waive for justifiable cause any qualification in an effort to obtain qualified applicants for Civil Service positions so long as such waiver is applied equally to all affected applicants.

Section 7. Conduct of Examinations.

- (a) All assembled examinations shall be conducted and managed so that no examination paper will disclose the name of any applicant until all the examination papers have been graded. This Rule will not apply during continuous testing. Examiners are forbidden to explain the meaning of any question. All conversation or communication during the examination is strictly prohibited. Applicants must receive permission to leave the room during any examination. An applicant who withdraws from an examination, after filling out the identification sheet and receiving a copy of the questions, shall be considered as having failed.
- (b) No assistance of any kind will be allowed during examination unless specifically authorized by the Chief Examiner. Any written or printed matter that might be of aid in the examination, unless approved by the Chief Examiner, must be handed in before the examination commences. Any attempt to cheat or copy from another applicant will render the violator ineligible for the position.

Section 8. Rating.

Each examination shall consist of one (1) or more tests to which the Chief Examiner shall assign weights, prior to the examination series, representing the relative value of each test to the whole. The Chief Examiner shall establish the minimum passing point for each test in an examination series, for each test in an examination, and for procedures for the computation of scores. All applicants for the same examination shall be accorded uniform and equal treatment in all phases of the examination and rating procedure.

Section 9. Retention of Materials and Notification of Scores.

All examination materials remain the property of the Commission and shall be retained in its files according to the Commission's retention schedule. Such retention schedule shall require, at a minimum, that the Commission's records be retained for such length of time as required by Nevada Revised Statutes. Within fifteen (15) working days, or as soon as practical, applicants will be notified whether they passed or failed and their position on the eligible list.

Section 10. Postponement of Examination.

Whenever it may appear to the Chief Examiner, by reason of the small number of applicants for any

examination, either open competitive or promotional, that such examination has not been given sufficient publicity, or for other good and sufficient cause, the Chief Examiner may postpone said examination to a later date. All persons having applications on file for the particular examination shall be notified of the postponement and shall be further notified of the new date and time at which they are to appear for such examination.

Section 11. Continuous Examination.

Examinations for classifications in which the need continually exceeds the availability of appointees, may be administered as applications are received with results merged into one eligible list as eligibility is established.

RULE VII - CERTIFICATION OF ELIGIBLES, APPOINTMENTS AND PROBATION

Section 1. General.

- (a) No appointing authority shall select or appoint any person for, or to, any position within Civil Service except as provided within these Rules; nor shall the Commission approve the appointment of any person except as provided by these Rules.
- (b) Civil Service shall consist of all City of Reno employee positions, now existing or hereafter created by the City of Reno, not otherwise specifically exempted by the Charter. Within Civil Service, employment shall be categorized as either within the classified service or temporary service.
- (c) Classified service shall be comprised of all Classified Positions within Civil Service. Classified Positions shall include all Civil Service positions which are assigned work of a continuing nature the expected duration of which is longer than six (6) calendar months, together with such other Civil Service positions as may be deemed appropriate by the Commission.
- (d) Temporary service shall be comprised of all non-classified positions within Civil Service which are filled on a short-term basis for a finite period of time. Appointments under the temporary service may not exceed the maximum finite period of time authorized by these Rules.

Section 2. Request for Certification and Pre-certification Background Check.

Vacancies in the classified service, if not filled by transfer, shall be filled by request for certification as provided herein.

- (a) Request for Certification. Whenever a vacancy is to be filled in the classified service, the appointing authority shall make request for certification to the Chief Examiner upon the City's approved personnel requisition form, setting forth, at a minimum, the Class Specification Title, Class Specification Number, and position control number for the position, and any other information deemed appropriate by the Chief Examiner.
- (b) Pre-certification Background Check. In order to streamline the comprehensive background check process utilized by the appointing authority, a pre-certification background check process may be conducted by the Reno Police Department on particular classifications selected and approved by the Commission.

The classification approved for the pre-certification background check process is police recruit. If the appointing authority determines a comprehensive background check should be utilized for any other classification, release of information requires the prior approval of the Commission and compliance with all applicable Civil Service rules, practices and applicable law.

The only information which may be released to designated personnel responsible for completing background investigations on behalf of the Reno Police Department to conduct the pre-certification background check shall be information pertaining to a candidate's identity and rank order as designated on the list of eligible candidates. Until such time as an eligible candidate is certified to the appointing authority pursuant to this Rule, the following applies:

- (1) the released information and the related pre-certification background check findings shall remain confidential and shall not be distributed to the appointing authority by the designated personnel responsible for completing background investigations on behalf of Reno Police Department; and
- (2) the appointing authority shall not conduct an interview of the eligible candidate.

If this Rule is not complied with or a breach of the confidentiality of this process occurs for any reason, the Commission shall be immediately notified and is entitled to review the matter and shall have the authority to take action appropriate to enforce its Rules and any remedial action needed to protect the integrity of the Civil Service process, including, but not limited to, immediate suspension of releasing information for the pre-certification background check process. The above confidentiality requirements are to be applied in conformity with all other employee confidentiality requirements provided by law.

Section 3. Certification.

Upon receipt of a request for certification, the Commission shall ascertain the availability for employment of persons from the appropriate list and shall then certify:

FIRST: From the laid-off list, the same numbers of names as there are vacancies, in the inverse order of their layoff, for positions to which they are eligible.

SECOND: From a promotional list as follows:

- (a) Fire Department: If the list contains fifteen (15) names or less, the ten (10) highest available eligibles; if the list contains more than fifteen (15) names, the eleven (11) highest available eligibles; If the list contains fewer than ten (10) eligibles, all names shall be submitted. If there is more than one vacancy, one additional name shall be submitted for each vacancy.

- (b) Remainder of the City: Certification of eligible candidate rule:

Rule of Six	If the list contains fifteen (15) names or less, the six (6) highest scoring available eligibles or the total available eligibles, whichever number is less.
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Rule of Seven	If the list contains from sixteen (16) names to twenty (20) names, the seven (7) highest scoring available eligibles shall be certified to the requesting department.
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Rule of Eight	If the list contains twenty-one (21) names to twenty-five (25) names, the eight (8) highest scoring available eligibles shall be certified to the requesting department.
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Rule of Ten	If the list contains twenty-six (26) names to ninety-nine (99) names, the ten (10) highest scoring available eligibles shall be certified to the requesting department, together with one additional highest scoring available eligible for every twenty-five (25) additional names on the list in excess of ninety-nine (99) names.
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If the last score in rank order is a tie score and there are two or greater eligible candidates, all available eligible candidates with the same tie score are to be certified.

For the Rule of Ten, if a selection is not made from among the initial list of certified candidates, an appointing authority may request in writing an additional ten (10) names from which a selection may be made. The appointing authority may be allowed up to ten (10) additional names to replace candidates who were not available for a hiring selection interview.

An additional name shall be added for each set of twenty-five (25) names for lists that exceed one hundred eligibles. An additional two names shall be added for each set of twenty-five (25) names for lists that exceed two hundred (200) eligibles.

THIRD: From an original eligible list for appointment to the classification in which the vacancy occurs, the names, addresses and telephone numbers of the highest available eligibles, as follows:

(a) Fire Department: Names shall be submitted in accordance with the consent decree entered in the case of *Washington v. City of Reno, et al.* in the United States District Court, District of Nevada, Case No. CV-R-78-51-ECR. The number of names submitted shall be determined by the Commission after consideration of the needs of the Fire Department and the purpose of the consent decree, but in no event shall be less than the number of names that would be submitted in connection with a vacancy for any other department of the City. At such time as the City is relieved of its obligations under the consent decree, the Commission shall review Fire Department original eligible lists.

(b) Remainder of the City: Certification of eligible candidates rule:

Rule of Six	If the list contains fifteen (15) names or less, the six (6) highest scoring available eligibles or the total available eligibles, whichever number is less.
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Rule of Seven	If the list contains from sixteen (16) names to twenty (20) names, the seven (7) highest scoring available eligibles shall be certified to the requesting department.
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An additional name shall be added for each set of twenty-five (25) names for lists that exceed one hundred eligibles. An additional two names shall be added for each set of twenty-five (25) names for lists that exceed two hundred (200) eligibles.

Section 4. Action by Appointing Authority.

Upon receipt of an eligible list, the appointing authority shall interview and consider each certified eligible, and every fourteen (14) calendar days after receipt of an eligible list, shall notify the Chief Examiner in writing providing an update of the hiring selection interview process. Upon receipt of an eligible list, the interview process shall be completed within sixty (60) working days. The appointing authority, within ten (10) working days following the hiring selection interview process, shall select one (1) of the eligibles and so notify the Chief Examiner on the form provided.

If any eligibles are passed over on a promotion eligible list, the appointing authority shall confer with the passed over candidate and explain, in writing, the reasons for rejection in order that the passed over candidate might better prepare for further consideration during the viability of the promotion eligible list or for possible future promotion. The appointing authority, after selecting one (1) or more of the eligibles for which vacancies are to be filled, shall notify the eligible(s) passed over of the hiring selection decision within three (3) working days of notification to the selected eligible(s).

If fewer than three (3) names appear on the approved eligible list, such name or names may be certified, but the appointing authority may reject such eligible list, in which case the Chief Examiner shall declare the list exhausted. Another examination then will be held and the appropriate number of names certified.

Section 5. Notice of Appointment.

The department is responsible to notify the Chief Examiner, in writing, of the candidate selected within five (5) working days of such selection as set forth above in Section 4.

Section 6. Waiver of Certification.

Eligibles may request, in writing, that they not be considered for selection. Providing the reasons presented are satisfactory to the Chief Examiner, such waiver must be requested in writing within twenty (20) working days of the certification of the list to a department. An eligible may waive only two (2) times before being stricken from the eligible list.

Eligibles on a promotional list may request waiver of consideration only for positions which are not within their own department or division.

Section 7. Veteran or Employee Preference and Tie Scores.

- (a) Candidates who attain a minimal passing score on the examination shall be enrolled upon the eligible lists in order of their final rating. When two (2) or more eligibles have received the same score, including seniority points, the ranking shall be determined by a random assignment by computer unless one (1) of the eligibles has submitted proof of honorable

discharge from the military service. Said eligible shall be awarded veteran's preference. In cases where two (2) or more of the eligibles who have received the same score and have been awarded veteran's preference, the ranking shall be determined by a random assignment by computer. In this instance, all eligibles receiving veteran's preference shall be ranked above all other eligibles receiving the same average score on both open competitive, as provided in subsection (b) below, and promotional examinations. The first appointed to the position from which promotion is sought, shall have priority. There shall be no limit to the number of eligible lists on which an individual's name may appear at any given time. A candidate who desires to claim veteran's preference must at time of application submit documentation of honorable discharge from the United States Armed Forces.

- (b) In the event of tie scores resulting from an open competitive examination, classified employees will be provided a rank preference in the following order: employees with veteran status established pursuant to subsection (a) above shall be given first preference, non-veteran employees second preference, and non-employee veterans third preference.

Section 8. Selective Certification.

An appointing authority may inform the Commission in writing that a vacant position requires, in addition to the classification minimum qualifications, special skills, knowledge, or abilities unique to performing the essential functions of the vacant position. The Commission, at its discretion, may authorize the Chief Examiner to certify only the names of those on the eligible list who possess the particular skill, knowledge or ability. Authorization for certification shall be granted if the Commission considers the written justification provided by the appointing authority to be satisfactory.

Section 9. Eligible List Extension.

Eligible lists shall be effective from the date of their approval by the Commission and shall continue in force for a period of one (1) year unless extended by the Commission for a period not to exceed one (1) additional year. The Commission may in a noticed public meeting, declare any list void at any time for good cause, in the sole discretion of the Commission. No rights are provided to applicants to require a list be maintained by the Commission.

Section 10. Advanced Qualification Lists.

In the absence of an open-competitive list and pending establishment of the same, a department may request the Commission to authorize the creation of an Advanced Qualification List.

If the Commission elects to authorize an Advanced Qualification List, it shall establish the necessary advanced qualifications for an individual to be eligible to compete for placement on the Advanced Qualification List.

The Advanced Qualification List shall be comprised of the names of individuals who have successfully passed the Civil Service examination process and met the advance qualification requirements established by the Commission. Individuals will be ranked on the Advanced Qualification List based on score and placement obtained in the Civil Service examination process, highest placement first.

Section 11. Request to Withdraw from Eligible List, Failure to Respond, Removals.

The Chief Examiner shall remove the names of an eligible from the list if the eligible has:

- (a) Been certified and passed over three (3) times for appointment. Written justification by the

appointing authority for passing over the eligible the third time will be forwarded to the Chief Examiner prior to removing the eligible's name from the eligible list. This information is confidential.

- (b) Failed to respond to a written offer of employment within five (5) working days, the offer may be rescinded and the person removed from the list. However, the applicant may petition the Chief Examiner to be reinstated on the list if satisfactory reasons for such failure to respond are presented within fifteen (15) working days, by contacting the Chief Examiner to appeal such removal, who may review and reinstate the name on the eligible list.
- (c) In the event of declination of appointment by an eligible, that name shall be removed from the eligible list immediately.
- (d) For any entry level appointment, any eligible who fails to respond within five (5) working days of the date of notice of appointment to report for duty, will forfeit rights to the position for which notified, and that person's name shall be stricken from the eligible list.
- (e) The eligible may be reinstated in proper order upon the eligible list, if, within fifteen (15) working days from the date of the notice sent, satisfactory reasons for failure to report are submitted to the Chief Examiner. If the position for which appointment was offered has been filled because of failure to respond, the eligible shall be reinstated on the eligible list in the proper order according to the final rating as it is then constituted.
- (f) Failure to respond within five (5) working days to a hiring selection interview established by an appointing authority, and, upon confirmation by the Chief Examiner that the eligible is not responding to an interview request by an appointing authority, the eligible shall be stricken from the eligible list. If an eligible is unable to respond due to illness or other extenuating circumstance, the eligible must notify the Chief Examiner within ten (10) working days in writing for consideration to remain on the eligible list.
- (g) Failure to appear at time set for the hiring selection interview shall result in the candidate's removal from the eligible list, unless the eligible provided a written request within one (1) working day to reschedule, which has been approved by the appointing authority.
- (h) If an eligible list candidate requests their name be withdrawn from an eligible list, they must do so in writing to the appointing authority and the Chief Examiner. Upon receipt of their request by the Chief Examiner, their name shall be stricken from such eligible list.

Section 12. Probationary Period.

- (a) All original, promotional and reclassified employees who hold positions in the classified service shall be appointed tentatively and be subject to a probationary period as prescribed by the Commission. Except for sworn public safety and other enforcement employees, such probationary period shall be six (6) months in duration and may be extended an additional six (6) months upon approval by the Commission. In no case shall the probationary period exceed twelve (12) months.

In the case of sworn public safety positions, the probationary period shall be twelve (12) months. In the event a twelve (12) month probationary employee suffers injury, illness, or other disability and is unable to perform all of the essential functions of the job, the Commission may, at the request of the appointing authority, extend the probationary period. The extension may not exceed the period of injury, illness or other disability which prevented

the employee from performing all of the essential functions of the position and will be approved only in cases where the employer requires the full twelve (12) month period to properly evaluate the employee's job performance.

- (b) The probationary period shall be regarded as an integral part of the examination process and shall be used for closely observing the employee's work, for securing the most effective adjustment of the employee to the position, and for eliminating any probationary employees whose performance does not meet the required standards of work.
- (c) During the probationary period, the employee's immediate supervisor will counsel the probationary employee at least once a month to assess the adjustment of the employee to the position. A written record of such meeting will be placed in the employee's file.
- (d) Upon completion of the probationary period, the appointing authority shall be responsible for notifying to the Commission in a timely manner that the employee has successfully completed the probationary period and requesting confirmation. Confirmation of a probationary employee shall be granted by the Commission or its designee in writing confirming that the probationary employee has satisfactorily completed the probation period and is confirmed into the classified service.
- (e) The department head, or the City Manager, may terminate any classified employee during the probationary period without rights of appeal, except in cases in which the employee claims that the termination occurred as a result of unlawful discrimination or any other illegal act. To be effective, written notice of such action must be issued by the appointing authority and given to the employee and the employee organization prior to the established completion date of the probationary period and a copy must be forwarded to the Commission by the date of the meeting of the Commission immediately following the effective termination date.
- (f) The Chief Examiner may reinstate a probationary employee terminated from an original appointment to the eligible list from which initially hired upon showing of good cause. This individual must notify the Chief Examiner within ten (10) working days in writing for consideration to remain on the eligible list.
- (g) A probationary employee serving an original appointment to a position in the classified service who is subject to lay off because of a reduction in staff will be reinstated on the active eligible list from which initially hired. All Civil Service Rules including those related to hiring, selection and interviewing will apply. If such employee is re-hired from the active eligible list, the probationary period will resume from the time served prior to layoff. Such laid off probationary employee will have no Civil Service rights, including but not limited to, rights of seniority, displacement, reinstatement to an active eligible list, resumption of employment and appeal.
- (h) Any probationary employee whose probationary status results from promotion shall be considered terminated from the promotional position, without the right to appeal to the Commission, should the department head determine that adjustment to the promotional position is unsatisfactory before completion of the probationary period. Such employee shall be returned to the former classification, provided the employee does not displace any employee with greater classification seniority. Should no position exist, the employee shall either be appointed to a vacant position in the next lower classification or be placed on the laid-off list.

Section 13. Temporary and Provisional Appointments.

Temporary Appointments. Vacancies in the temporary service shall be filled as provided below:

- (a) Temporary Appointments. The department head or City Manager may employ qualified applicants to fill positions in the temporary service provided that prior to such employment, the Chief Examiner is supplied with a copy of the City's approved personnel requisition form setting forth the Class Specification Title, Class Number, Position Control Number (if applicable), anticipated duration of employment, and the name of the pending appointee, when available. If upon review, the Chief Examiner determines that the appointment does not meet any of the requirements set out in these Rules, he or she shall promptly notify the appointing authority of the revisions which must be made before the appointment may take effect. The department head or City Manager may request the names of persons who have applied for and passed an examination currently viable for a Civil Service eligible list from which to fill such temporary positions.

Appointment to temporary positions shall not exceed six (6) calendar months unless extended by the Commission. The Commission, upon a showing of good cause, may approve a one (1) time only extension for up to three (3) calendar months provided the extension is requested and approved prior to expiration of the initial six (6) calendar month appointment period. Persons hired under a temporary appointment, upon separation, may not be re-employed in a temporary position for a period of no less than six (6) calendar months from the date of his or her last separation from the temporary service.

Temporary appointments under this Rule may not be used in conjunction with, simultaneous to, or prior or subsequent to City employment under a non-Civil Service temporary appointment made pursuant to Section 9.020 of the Charter without first completing the requisite six (6) calendar month break-in-service.

- (b) Emergency Appointments: In the event of an emergency, as defined in Rule III, Civil Service Rules relating to the appointments of temporary personnel are suspended and the City may as permitted by law and without the approval of the Commission temporarily assign and/or reassign existing personnel and/or appoint such additional emergency personnel as it deems necessary to manage its operations and carry out its responsibilities. Such emergency appointments shall not exceed ninety (90) calendar days after commencement of the emergency, unless first extended by the Commission. As it deems appropriate, the Commission, upon a showing of good cause, may approve extensions for use of emergency appointments for up to three (3) calendar months per request provided that factual circumstances demonstrate that the emergency both requires the utilization of emergency appointments and is continuing in duration.
- (c) Temporary and Emergency Appointment Tracking: The requesting department is responsible for tracking temporary and emergency appointments to include use of electronic job applications and electronic requisitions software, or other format as may be established by the City, without limitation to use of alternative formats under circumstances of extreme necessity or emergency, and taking timely action to end temporary appointments on or before completion of the appointment window authorized by these Rules.
- (d) Provisional Appointments. When vacancies occur within the classified service, and when an approved list is not available, the department head or City Manager may, with notification to the Chief Examiner, select qualified classified employees as provisional appointees to fill the vacancies. Provisional appointments shall not exceed a period of six (6) calendar months unless first extended by the Commission.
- (e) Records. The department head shall forward notice of appointment and termination of

provisional appointees to the Chief Examiner for purposes of record. The City Manager or his or her designee shall, not later than forty-five (45) calendar days after the end of each fiscal year quarter, provide the Commission with a roster of all Civil Service employees within the temporary service or holding provisional appointments within the classified service. The roster shall include the employee's name, department, classification title, job title (if different from classification title), date of hire, date of projected separation (if known), and such other information related to compliance with these Rules as may be specifically requested by the Chief Examiner or the Commission.

Section 14. Status of Employees.

The following shall govern the status of employees:

- (a) Classified Positions. Appointees to classified positions must serve an initial probationary period as provided in these Rules and, upon successful conclusion of that probationary period, shall be eligible for confirmation. Upon confirmation, the employee shall be entitled to the rights and privileges accruing to Civil Service employees with confirmed status as more fully provided in these Rules.
- (b) Provisional Appointments. Appointments to positions on a provisional basis shall confer neither Civil Service probationary or confirmed status in the provisional classification nor any privilege of promotion or transfer to any other classified position in Civil Service as a result of the provisional appointment. A provisional appointee shall not have the right to appeal discharge from the provisional appointment. Notwithstanding the foregoing, an employee holding a provisional appointment may exercise a right of return to the classification held previous to the provisional appointment; provided the provisional employee does not displace any employee with greater classification seniority. Should no position exist, the provisional employee shall either be appointed to a vacant position in the next lower classification or, in the absence of such, be laid off and placed on the reinstatement list. Time spent under provisional appointment shall not be credited to the probationary period, and no seniority credit shall be allowed in the giving of any examination or the establishment of any employment or promotional list for service rendered under provisional appointment, except as herein provided. The time spent under provisional appointment may be credited in computing total service of any employee.
- (c) Temporary Appointments. Appointment to a position in the temporary service or on a temporary basis shall be "at-will" and confer neither Civil Service probationary or confirmed status, nor any privilege of promotion or transfer to any other position in Civil Service. A temporary appointee shall not have the right of appeal from discharge or disciplinary action under Rule XI of these Rules.

RULE VIII. PROMOTION

Section 1. Career Fields.

The Commission shall establish broad career fields and lines of progression from lower to higher grades of service in all cases where the duties and responsibilities of the lower classified position tend to qualify for service in the higher.

Section 2. Method.

Whenever a vacancy in the classified service exists, it may be filled by promotion from classified positions in a lower classification or pay grade in the same classification of service when such lower classification or grade contains any eligibles who have taken a promotional examination. Promotion shall be accomplished by means of a competitive examination and, except for special training and knowledge gained within a department as a prerequisite to the proper filling of a vacancy, shall be open to all classified employees regardless of department. The Chief Examiner, at his or her discretion, may provide for simultaneous open and promotional examinations with provision for certifying promotional candidates first.

Section 3. Notice.

Notice of promotional examination shall be posted in the office of the Commission as well as forwarded to departments and divisions. Such notice shall give the character of the examination and provide such other information as the Chief Examiner may deem appropriate. Notices shall fix the period in which applications will be received.

Section 4. Filing.

Applications for promotional examinations shall be made upon a form provided and furnished by the Commission, and shall be filed in the office of the Commission before expiration of the filing period.

Section 5. Eligibility.

To be eligible to enter a promotional examination, or receive promotion, an employee must have completed the necessary service requirement, as stated in the examination announcement.

Section 6. Examinations.

The rules governing promotional examinations shall, except as herein provided, be the same as for original entrance examinations. Where positions require special physical fitness, the Commission may cause a special investigation of eligibles to be made to determine whether they continue to meet the required physical standards.

- (a) Answer Sheet Inspection. A candidate may review the scoring of his or her own answer sheet for a period of one (1) month from the date of the official notice of results of a written examination, in the Civil Service Office during regular business hours. Such review will not allow the candidate to study the test questions, only the actual answer sheet of the candidate with the scoring key.
- (b) Protest of Questions. Upon conclusion of an examination and prior to leaving the exam site, candidates may file a written protest of exam questions believed not to be related to the job, questions that are not clear, or questions where more than one (1) or none of the answers to choose from is correct.

Section 7. Eligible Lists.

The rules governing the establishment of promotional eligible lists shall be the same as provided for original entrance lists; except, when two (2) or more applicants have the same rating, then preference on the eligible list shall be determined by their classification seniority.

Section 8. Promotion Evaluation.

An evaluation of an employee's job performance may be a subject in promotion examinations if the performance evaluation model is approved by the Commission.

Section 9. Seniority Credit.

- (a) Credit shall be given to allow seniority credit to be given on examination scores for length of continuous employment for those employees hired from an eligible list. Lines of progression shall be determined by Civil Service employment progression charts. Credit shall be computed by adding to a passing score as follows:

For each full year of continuous service completed up to a maximum of ten (10) years
.....0.2 points per year

- (b) Reno Fire Department uniformed employees with the Fire Emergency Operations and Fire Community Risk Reduction programs shall receive seniority credit computed by adding to a passing score as follows:

For each full year of continuous service completed after current minimum qualifications eligibility, up to a maximum of fifteen (15) years.....0.2 points per year

The Reno Fire Department employee classifications to be given credit for up to a maximum of fifteen (15) years of continuous service are: Firefighter, Fire Equipment Operator, Fire Captain-Suppression, Fire Captain-Training, Fire Battalion/District Chief, Fire Prevention Officer, Fire Prevention Inspector, Water Supply Inspector, Fire Captain-Prevention, Fire Protection Plans Examiner, Fire Protection Engineer, Fire Equipment Mechanic, Fire Equipment Superintendent.

Section 10. Request for Certification.

The rules governing request for certifications, and certifications for promotion, shall be the same as provided in Rule VII.

Section 11. Action by Appointing Authority.

The procedure for selection shall be the same as that provided in Rule VII Sections 3 and 4 and in addition the appointing authority shall fill each vacancy in the following order of preference:

FIRST: From the highest available eligibles from within his/her own department or division.

SECOND: From the highest available eligibles from the promotion list as a whole when no appointment is made from eligibles from the department in which the vacancy exists.

Section 12. Notice of Appointment.

The rules governing notices, waivers and declinations for promotion shall be the same as provided in Rule VII, Sections 4, 5 and 6.

Section 13. Limited Term Promotional Appointments.

- (a) Upon approval by the Chief Examiner, limited term promotional appointments may occur to fill vacancies in the classified service which are anticipated to have durations longer than six (6) calendar months, but may not be permanent. In those cases, a promotional appointment may be made on a "limited term" basis. Classified employees appointed to limited term vacancies will remain in the classification consistent with Civil Service Rules, contingent upon an event which may or may not occur. Contingent events may include, but are not limited to, the following situations:
 - (1) A promotional vacancy occurs when a classified employee is placed on long term leave for illness, injury, or pending final disposition of criminal charges.
 - (2) A promotional vacancy occurs when a classified position is temporarily authorized and funded and is anticipated to last in excess of six (6) calendar months.
 - (3) A promotional vacancy occurs when a classified employee challenges a termination or demotion, such challenge is anticipated to last more than six (6) calendar months, and may result in reinstatement to the position.

A request by the appointing authority for certification of the list of eligibles for a limited term promotional vacancy must indicate in writing that the vacancy is limited term. The contingent event and the reason for requesting a limited term appointment must be provided with the request for the list of eligibles. Limited term appointments must be based on specific reasonable circumstances which prevent a regular appointment.

- (b) If a contingent event occurs, a classified employee in a limited term appointment, whether probationary or confirmed, may displace another classified employee in that classification who has less seniority in the classification. If no other employee in that classification has less classification seniority, the employee shall be returned to the previous classification held, provided the employee does not displace any classified employee with greater classification seniority. In addition, the employee shall be placed on the laid-off list for the classification from which removed. Should no position exist in the classified service in the classification previously held, the employee shall be appointed to a vacant classified position in the next lower classification and be placed on the laid-off lists until a vacancy occurs in either the classification to which the employee received a limited term appointment or the next lower classification previously held.

RULE IX. DEMOTION

Section 1. Cause.

Upon a showing of inefficiency, incapacity, or misconduct, the City Manager may for cause demote a classified employee by filing with the Chief Examiner a notice of such demotion together with a statement detailing the causes. A copy of this shall be given to the employee. The demoted classified employee shall have right of appeal and shall be given an opportunity for a hearing as provided in Rule XIV. An employee so demoted shall lose all prior rights to the higher Civil Service class. If previous Civil Service confirmed status in the lower classification has not been attained, such demotion shall not

displace any other confirmed or probationary classified employee, and the demoted employee shall be returned to the last classification in which status was attained.

Section 2. Demotion During Probation.

Upon a showing of unsatisfactory performance during a promotional probationary period, the appointing authority shall return a probationary classified employee to a former classification as prescribed in Rule VII, Section 12(h), provided no classified employee with greater classification seniority shall be displaced. Should no position exist, the employee shall then, at his or her option, either be appointed to a vacant classified position in the next lower classification or laid off and placed on the reinstatement list.

Section 3. Demotion Through Reduction in Staff.

When it becomes necessary to effect a reduction in staff because of lack of work or funds, the appointing authority shall accomplish such reduction in the order prescribed in Rule XII, Section 5.

Section 4. Voluntary Demotion.

A classified employee, upon his or her own initiative, may request reduction to a vacancy in a previously held classification or any lower classification in the normal line of progression within the classified service.

The appointing authority shall obtain a written request for such action from the employee and shall indicate approval prior to forwarding it and the notice of change to the Commission and the City Manager. Such reduction shall be without prejudice to the employee's future status and the employee shall be entitled to credit for previous service in the lower classification. No further reference to the Commission need be made prior to effecting the reduction. PROVIDED: Such reduction shall not displace any confirmed or probationary classified employee.

RULE X. TRANSFER

Section 1. General.

Transfers of classified employees shall be subject to approval by the Commission and have the concurrence of both the losing and gaining departments. Notice of all transfers shall be filed with the Commission by both the losing and gaining departments prior to the effective date of such action. Classification seniority for promotional purposes shall not be affected and will be retained in Civil Service records for the particular classification carried. PROVIDED: This rule does not apply to promotions of certified eligibles appointed from a position in one department or division to a higher position in another department or division.

Provided further: Involuntary transfers of classified employees due to consolidation or transfer of functions from one department to another department shall have no effect on the departmental seniority of the transferred employee.

Section 2. Transfers Permitted.

- (a) Transfer, in lieu of layoff, may be made to a classified position in the same classification in a different department or division, providing the employee consents to such transfer and, further, that a confirmed or probationary employee is not displaced.
- (b) When a classified position held by an employee is reclassified which involves a change in grade and the employee elects to retain the original classification, the employee shall so

notify the Chief Examiner in writing and will then be transferred to the first available classified vacancy in the original classification. When such transfer is to another department or division, departmental seniority shall be forfeited and the employee shall be placed in the junior position on the new departmental seniority list for that job classification.

- (c) In the event that classified employees, whether probationary or confirmed, are injured in the line of duty and are no longer able, as a result of the injury, to perform the duties for which originally hired, the Human Resources Department and the Chief Examiner, working with the State Industrial Insurance System, shall make every effort to find other meaningful classified assignments for those employees in the City's work force. Rehabilitation, training, waiving of minimum qualifications and testing without opening up a classification will be allowed if the Commission deems it appropriate to do so, in order to accommodate such employees injured in the line of duty. Each case will be considered on an individual basis by the Commission. Under no circumstances would employees in this circumstance displace any probationary or confirmed employees.

Section 3. Employment by City of Reno of Employees of Agencies, Organizations or Governmental Entities whose Functions Have Been Assumed by the City of Reno or whose functions have been assumed laterally by Agency, Organization or Government entities.

- (a) If the City of Reno assumes in whole or in part the function of an agency, organization or governmental entity, an employee who is performing that function for the agency, organization or governmental entity at the time of the assumption and who will be performing a substantially similar function for the City of Reno immediately following the assumption may, upon recommendation of the City Manager or his or her delegate, and if approved by the Commission, be included within the City of Reno Civil Service without examination.
- (b) All persons transferred under the provision of this section shall be placed in probationary status for a period of time established for similar classification within the classified service. Upon request made by the City Manager or his or her delegate, the Commission may consider and waive the probationary requirement provided that the person(s) has/have satisfactorily held a position within the agency, organization or governmental entity for a period of one (1) year or longer. Employment of persons by the agency, organization or governmental entity shall be treated as the equivalent of City service. The transition from service with the agency, organization or governmental entity to the City shall not be deemed as a break in continuous service for the purpose of administration under Civil Service Rules. However, the length of continuous service shall be adjusted based on criteria set out in these Rules.
- (c) City of Reno Civil Service employees employed laterally by another agency, organization or government entity as a result of departmental organization restructuring within the City of Reno shall be considered as resigned in good standing.

Upon application for re-employment to the City of Reno, the Commission will consider such individuals for re-employment by the City of Reno to their previously held classification without the requirement for examination and such individuals shall retain Civil Service seniority accumulated at time of resignation from the City of Reno.

Individuals affected by such lateral employment and who request approval for re-employment with the City of Reno will be considered second in order of certification for return to employment after the reduction-in- staff reinstatement list created under Rule XII, Sections 6

and 7 for their classification has expired or been voided by the Commission. Individuals on re-employment lists created under Rule XIII, Section 1(b) will be considered third in certification order for re-employment consideration.

The provisions of Rule X, Transfer Section 3(c) shall expire July 1, 2015.

RULE XI. SUSPENSION, DISCIPLINE AND DISCHARGE

Section 1. General.

An employee in the classified service may be suspended, disciplined, demoted or discharged only by the City Manager or the City Manager's delegate or the Commission. Such action shall result in termination unless a hearing is requested as set forth in these Rules.

No employee who is classified as an exempt employee for purposes of the overtime provisions of the Fair Labor Standards Act, may be suspended without pay in such a manner, or for such a period of time as would cause the loss of exempt status for that employee.

PROVIDED: No employee may be disciplined twice for the same act. If an employee pursues resolution through a collective bargaining unit, no appeal of the same act sanctions will be allowed.

Notice of the action, together with a full statement of the reasons, shall be filed with the Commission and a copy thereof served upon the employee, who may within ten (10) working days from the date of the filing of such order with the Commission or from the date of service of such order on the employee, whichever is later, appeal such action to the Commission.

Section 2. Appeal.

Except as may otherwise be specifically provided in these Rules, any classified employee who is the subject of an action by the City Manager, or the City Manager's delegate, which would result in a suspension or discipline of greater than three (3) working days, a reduction in rank, or discharge may appeal such action to the Commission.

Section 3. Hearing.

The Commission shall conduct hearings as provided in Rule XIV. The action taken by the City Manager or City Manager's delegate shall stand unless modified or revoked by the Commission.

Section 4. Causes.

Merit principles of employment shall be the primary consideration in any disciplinary action. Classified employees may be disciplined only for actions which would affect their ability or fitness to satisfactorily perform their assigned duties. Non-merit factors such as sex, race, color, religion, national origin, age, marital status, sexual orientation, gender identity or expression, or disability may not be considered. The following conditions are compatible to the principles of merit and may be considered as cause for any classified employee to be suspended, discharged or otherwise disciplined.

- (a) Has been absent from duty without approved official leave contrary to Civil Service Rules or the City personnel regulations, or has failed to report after any such leave has been officially disapproved or revoked.

- (b) Has willfully or corruptly, singly or in cooperation with one (1) or more persons, defeated, deceived or obstructed any person with respect to the right of examination; or has willfully or corruptly furnished to any person so examined any special or secret information for the purposes of either improving or injuring the prospects or chances of persons so examined, or to be examined, being examined, employed or promoted in the operation of the Civil Service and Human Resources program of the City.
- (c) Is inefficient in the performance of the duties and responsibilities of a position held in the classified service.
- (d) Is careless or negligent in the use of the property of the City; and such carelessness is documented and proven.
- (e) Any willful violation of the Charter, these Rules, any written departmental rules or procedures, or of any reasonable and lawful order of direction made and given by a supervisor, where such violation or failure to obey amounts to an act of insubordination or a serious breach of proper discipline, or resulted or might reasonably be expected to result in loss or injury to the City, or the public, or to the prisoners or wards of the City.
- (f) Has committed an act or acts that would tend to embarrass or discredit the City, whether such acts were committed while on or off duty.
- (g) While on duty, if an officer or an employee has aided in any manner in soliciting or collecting money from an officer or employee of the City for any purpose prohibited by the Charter or these Rules; providing, contributions solicited for approved purposes by the Charter must be voluntary and no discrimination shall be permitted against an employee engaged in such acts.
- (h) Has engaged, while in uniform or on duty, in the solicitation of funds or sale of tickets for any purpose except as provided in (g) above.
- (i) Has used or threatened to use or attempted to use political influence in securing promotion, leave of absence, transfer, change of grade, pay or character work.
- (j) Has taken an active part in political management or in political campaigns for elective office during working hours; provided, however, nothing herein shall be construed to affect the right of any employee to vote and to express privately opinions on all political subjects.
- (k) Has been convicted of a felony or a gross misdemeanor.
- (l) Excessive absenteeism or habitual pattern of failure to report for duty on time without good and sufficient reason.
- (m) Has committed, or has induced or has attempted to induce an officer or employee of the City, to commit an unlawful act or to act in violation of any reasonable and lawful departmental or official regulation or order, or has taken any fee, gift or other valuable thing in the course of work or in the connection with it, for personal use from any citizen, when such gift or other valuable thing is given in the hope or expectation of receiving a favor or better treatment than that accorded other citizens.
- (n) The employee has violated any standard governing the conduct of employees as set forth in the Code of Ethics, Reno Municipal Code, Section 2.21.110 et seq. (See Appendix "A")
- (o) Has been guilty of maligning any other employee of the City, or making any false or unwarranted statements against such employees, provided that this clause does not apply

where such employee in good faith prefers such charges in writing against another employee with a view of having said employee brought up for hearing before the Commission on such charges.

Section 5. Administrative Leave without pay.

Any classified employee who has been formally charged with a felony or gross misdemeanor may be placed on administrative leave without pay pending court trial determination. If the employee is found not guilty of the charge, that employee may be restored to duty and, if restored, shall then be entitled to all back salary, allowances and benefits due.

RULE XII. REDUCTION IN STAFF

Section 1. General.

Whenever in the judgment of the City Council it becomes necessary to reduce the staff of any City department, such reduction of staff shall be accomplished pursuant to the Rules adopted by the Commission designed to encourage interdepartmental transfers and other procedures tending to minimize the impact of layoffs. In other words, for reasons of economy or due to a lack of work or funds, the City Council may through the budgetary process, or otherwise, abolish certain positions and/or reduce the number of City employees. When any such action causes a layoff of a classified employee, the selection of those to be laid off shall be made under the following parameters:

- (1) To decrease the work force in any department, the appointing authority shall specify to the Chief Examiner the number and classification of employees to be laid off, together with the department in which the layoff is to be made. The Commission shall then determine, under this Rule, the particular employee(s) to be laid off, and advise the appointing authority of its findings.
- (2) For purposes of this Rule, the term "layoff" shall include removal from City employment, re-assignment to a former classification or assignment to a substantially similar classification and reduction in the employee's hourly work schedule from full-time to part-time.
- (3) For purposes of this Rule, the term "probationary employee" includes an employee who is not confirmed in a position within the classified service, with the single exception that a probationary employee that is not confirmed in the classification currently assigned, but was confirmed in another Civil Service classification immediately prior thereto may be eligible to seek a transfer pursuant to Rule X in lieu of layoff. If the transfer is approved, then the probationary employee shall be treated as a confirmed classified employee holding the classification transferred into.
- (4) For purposes of this Rule, the term "confirmed employee" is an employee that has been confirmed in a position within the classified service and is not a probationary employee as that term is defined in the preceding paragraph and includes a classified employee serving under a "provisional appointment" and a "promotional probationary employee." A confirmed employee serving under a "provisional appointment" shall be returned to their official classification, the length of service seniority calculation in the provisional position shall be determined per Rule VII, Section 14(c).
- (5) Any interruption of employment not in excess of thirty (30) calendar days because of adverse weather conditions, shortage of materials or equipment, or for other unexpected or unusual reasons during which the employee receives no pay, wages or salary shall not be considered a

layoff, provided that such interruption of employment is approved by appointing authority and the Commission.

Section 2. Order of Layoffs.

Layoffs in each classification shall be made in the following order: first, probationary employees and second, confirmed employees.

- (1) Probationary employees (as defined in Section 1 of this Rule) shall be laid off prior to layoff of a confirmed employee (as defined in Section 1 of this Rule). Such probationary employees are “at-will” employees and have no Civil Service rights including, but not limited to, rights of seniority, displacement, reinstatement, and appeal.
- (2) Confirmed employees shall be laid off after probationary employees. When one or more confirmed employee(s) must be laid off, those who are laid off shall be those with the lowest seniority under these Rules. However, the Commission may, upon the recommendation of the appointing authority, order the layoff to be effective City-wide or confined to one or more departments if, in its judgment, the best interests of the City will be served.
- (3) A confirmed employee who has a right to displace another classified employee pursuant to Section 5, below, will be transferred to fill the position made vacant by the layoff of the employee with the lowest seniority. Displacement rights do not preclude lay off of the transferred employee if the classification transferred to is affected by a layoff.

Section 3. Seniority in Layoffs.

Seniority in layoffs will be determined as follows:

- (1) Classification seniority shall be the primary factor in determining a reduction in staff. The term “classification seniority” shall refer to total length of service in a particular classification, including the probationary period. Classification seniority in layoffs shall be calculated by adding together all time served by the employee in the classification after confirmation of such employee in the classification by the Commission. Classification seniority shall not include time under a disciplinary suspension.
- (2) In the event two or more classified employees have the same classification seniority, department seniority shall be the next determining factor. The term “department seniority” shall refer to the total length of service in the department assigned to at the time of the layoff. The person who has the least time spent in the department shall be laid off first.
- (3) In the event two or more classified employees have the same classification and department seniority, city seniority shall be the next determining factor. The term “city seniority” shall refer to the total length of service served for the appointing authority. The person who has the least time employed (this means time spent in a department in accordance with Civil Service calculations) by the appointing authority shall be laid off first.
- (4) Lastly, in the event two or more classified employees have the same seniority in classification, department and city seniority, a random number, that is electronically generated, will be assigned to each employee, and the employee receiving the highest electronically generated number will be laid off first, and then the order of lay off shall continue in descending order of assigned random numbers.

The person with the least seniority under this Rule shall be laid off first except that this provision shall not apply in the event layoff action is taken in connection with an administrative leave of absence in accordance with Rule XIII, Section 4(e).

Section 4. Notice of Layoff.

Notice of any layoff shall be made by the appointing authority by delivering a letter to the employee to be laid off providing a minimum of ten (10) working days notice prior to the effective date of the layoff. The letter shall be copied to the Commission. The letter is to inform the employee of the City's decision to lay off the employee. Although personal delivery is preferred, it is not required for notice to be effective. If any employee affected by the layoff cannot be located for personal delivery, the letter containing the layoff notice may be mailed by certified mail to that employee's last known address as shown in the employee's records in the payroll files of the appointing authority. If the layoff notice is mailed as provided in this section, the ten (10) working day notice period shall commence upon the date of mailing of the notice, not the date of receipt of the notice.

Section 5. Reduction in Grade and Displacement of Another Employee.

At the time of the layoff, a classified employee shall at their option be reduced to the next lower classification within the department or they may be transferred as provided in Rule X. Notwithstanding the foregoing, this reduction or transfer shall not displace another classified employee with greater seniority, as defined in Section 3 of this Rule. Further, the reduction or transfer must be to a classification in which the employee previously held confirmed status or a classification in which a vacancy exists and for which the knowledge, skills, and abilities are similarly related to those required in the employee's present classification. The analysis of whether the knowledge, skills, and abilities are related to those required in the employee's present classification is within the authority and discretion of the Commission or its designee. A request for this analysis must be filed with the Chief Examiner prior to the effective date of layoff. The Chief Examiner will review the request and make a determination if the knowledge, skills and abilities are similar or related. This decision will be made within ten (10) calendar days following the filing of the request. Review of the decision of the Chief Examiner by the Commission may be conducted as set forth in Section 8 of this Rule.

Section 6. Placement of Names on the Reinstatement List.

On the date a layoff becomes effective, the Chief Examiner shall cause the names of laid off classified employees to be placed, in inverse order of layoff (that is the last person laid off shall be the first person on the reinstatement list) on the reinstatement list established by the Chief Examiner for all classifications from which they were laid off. When a reduction in the work force results in the layoff of an employee who had acquired confirmed status in a former classification and such employee is on the top of the reinstatement list, he or she shall be recalled to his/her former classification and shall have precedence or priority over all others in certification for recall for appointment to the department from which laid off; however, a person may be transferred to another department if recommended by the appointing authority and approved by the Commission. If no reinstatement list exists, the names of such employees shall constitute the reinstatement list. A name shall be dropped from the reinstatement list(s) after three (3) years from the date it is placed thereon. The Commission shall notify the employee via certified mail at the address of record that he/she is being dropped from the list.

Section 7. Reinstatement Procedure.

Upon receipt of a request for certification from a department or division, the same number of names will be certified from the laid off register of that department or division as the number of vacancies to be filled. The appointing authority shall have no choice in the appointment and shall appoint the persons so

certified within ten (10) calendar days of the certification. If for good and sufficient reason the appointment is not made within ten (10) calendar days, the appointing authority shall so notify the Commission in writing through the City Manager with reasons therefore. Upon acceptance of such notice, the Commission shall withdraw the certification and the position shall be declared vacant and not to be filled until such time as the appointing authority again requests certification.

Section 8. Objection to and Appeal of Layoff.

Any classified employee subject to lay off from a position in which they have held confirmed status may object to his/her layoff on the following grounds:

- (1) the seniority calculation was incorrect,
- (2) the layoff action was the result of an improper or illegal employment practice, and/or
- (3) the determination of the knowledge, skills and abilities similarity conducted by the Chief Examiner was incorrect.

The classified employee objecting to the layoff may only do so by filing an appeal with the Commission within ten (10) calendar days after being served with a notice of layoff pursuant to Section 4 of this Rule. The Commission shall then hear the appeal and proceed in the same procedural manner it would for a hearing under these Rules. After such hearing, the Commission shall make a final determination on the merits of the objection(s) raised by the employee pursuant to this section. If such employee fails to timely file an appeal with the Commission objecting to his/her layoff, all appeal rights are extinguished and the layoff shall be effective as of the date specified in the notice of layoff. Notwithstanding the foregoing, the Commission may use its discretion to correct an error in seniority calculations at any time and may make appropriate adjustments in an order of layoff or a priority list ranking due to such correction.

Section 9. Out of Order Layoff.

After receiving a written request from the appointing authority, the Commission may grant permission for layoff out of the regular order by evaluating the rationale for an out of order layoff and upon showing by the appointing authority or department of a necessity therefore in the interest of efficient operation of the department or City and after giving the affected employee an opportunity for a hearing.

RULE XIII. RESIGNATION, RETIREMENT, LEAVE OF ABSENCE

Section 1. Resignation and Re-employment.

- (a) Resignation. An employee in the classified service who wishes to leave City employment in good standing shall file with the appointing authority, at least two (2) weeks before leaving, a written resignation which shall contain the reason for leaving and the effective date. Failure to comply with this procedure may be considered cause for denial of future employment with the City. The appointing authority shall forward notice of such resignation to the Commission through the City Manager on the prescribed form prior to the effective date thereof.
- (b) Re-employment. An individual hired from a Civil Service eligible list who has resigned or taken a voluntary demotion in good standing from a position in the classified service of the City of Reno and who desires placement on a re-employment list may, within three (3) years of the resignation or demotion, submit a written request to the Commission for re-employment in any classification(s) previously held in which the individual had obtained

confirmed status. An individual seeking re-employment must provide a new application and meet the current minimum qualifications for the classification for which re-employment is sought. Further, prior to employment, an individual must satisfy any pre-employment screening criteria established for the subject classification. Upon approval of the request by the Commission, the name of the applicant will be placed on the re-employment list for such classification, subject to the following conditions. Placement on the re-employment list will be for an eligibility period of one (1) year from the date of Commission approval. Eligibility may be extended for up to an additional three (3) years provided the individual re-applies each year before the expiration date of the individual's last eligibility period. A re-employment list may be certified to the Department or Division only when the open competitive list is also requested by the Department or Division, except that in instances where an open competitive list has not been established, the Department or Division may request the re-employment list in the absence of an open competitive list. Individuals who are appointed from the re-employment list under this rule shall serve a new probationary period pursuant to these Rules. A former City employee whose name is on a laid off list under Rule XII, Section 7, may, prior to the expiration of the three (3) year period on the laid off list, request to be placed on the re-employment list, pursuant to the provisions of this Rule.

Section 2. Retirement.

Retirement of Civil Service employees shall be as provided by state and federal law and City ordinances.

Section 3. Re-employment after Disability Retirement.

A former classified employee retired for disability will be restored to duty in the same or similar classification held at time of disability retirement providing certification in writing is made to the Commission by the board of the appropriate pension or retirement system, and in accordance with the applicable law or ordinance, that the employee is capable of performing the duties of that classification. Reemployment shall be in the same department or division from which retired. Should no vacancy exist, the person with least seniority in that classification in that same department or division shall be reduced to the next lower classification, or transferred, and placed on the layoff list as provided in Rule XII. Should the pension or retirement board certify the employee as capable of performing the duties of a lower classification, appointment shall be made to the first available vacancy in said lower classification.

Section 4. Leave of Absence.

- (a) This section does not apply to leaves of absence requested for active duty or for military training by National Guard members or military reservists. Such leaves shall be governed by the City Manager's policy as approved by the Commission, and the granting of such leave shall not affect accrual of seniority or other Civil Service rights.
- (b) It shall be the responsibility of the City Manager to advise the Commission on all leave matters which may affect the Civil Service status of any classified employee.
- (c) Ordinary vacation and sick leave shall be accrued and granted in accordance with the provisions of the applicable ordinances and the City personnel program and regulations. The granting of such leave shall not affect an employee's Civil Service rights.
- (d) Special leave of absence may be granted in accordance with applicable ordinances and the City personnel program to classified employees with over one (1) year continuous service immediately preceding date of leave; provided, this limitation shall not apply in case of on-

the-job injury or urgent necessity; however, substantiating proof must accompany any such request for leave. Leave of absence in excess of fifteen (15) consecutive calendar days shall be without accrual of classification seniority and the total number of days leave taken shall be deducted from the employee's seniority date. Leave of absence shall not be recognized by the Commission as becoming effective until approved by the employee's appointing authority and by the City Manager. Any employee who departs on leave of absence prior to receiving approval of the appointing authority and the City Manager may be considered to be absent without leave and subject to immediate discharge.

- (e) Leave of absence extending beyond a period of ninety (90) calendar days may be considered cause to place the employee on the laid-off list; provided, this provision shall not apply to those on educational leave or who accept an appointive position in the City, or as otherwise approved by the Commission. At the expiration of the ninety (90) calendar day period, the appointing authority shall determine whether the employee should be placed on layoff status and shall so notify the Commission through the City Manager. In the event of layoff, the provisions of Rule XII pertaining to reinstatement shall apply.
- (f) Leave of absence shall be granted only for that period of time which is necessary to accomplish the purpose of the request and the employee must report for duty immediately upon expiration of such leave. Failures to report for duty at the expiration of leave, or if a leave has been disapproved or revoked, may be considered cause for separation from the service. Upon expiration of leave of absence the employee shall, if still qualified, resume the former position or if promoted, the position to which promoted under the conditions set forth in these Rules.
- (g) The Commission does not wish to discourage classified employees from political activities on their own time. However, for the best interests of the City, certain conditions must be met when employees wish to file for a paid, political office. Potential candidates must, before filing, notify the City Manager of their intention to run for political office. Employees shall request a leave of absence without pay, use annual leave or compensatory time for furthering their candidacies, but under no circumstances may they campaign or solicit support during on-duty working hours, nor may they use their positions with the City to advance their candidacies. Off-duty political activities must not impair the employee's performance of duties for the City. Sick leave shall not be used in conjunction with the employee's political activities.

Should employees be elected to a paid, public political office, they shall request a leave of absence, use annual leave or compensatory time to fulfill their responsibilities in office during the entire term of office, or for whatever specific time or times their presence is required in office. Under no circumstances may employees elected to such an office perform the duties of that office while on duty for the City.

RULE XIV. APPEALS, CLAIMS, COMPLAINTS

Section 1. Authority of Commission.

The Commission shall have the authority over and be responsible for all phases of the selection, appointment and promotion of all employees in Civil Service, for the appeal rights of classified employees in regard to actions by the City Manager or the appointed delegate to dismiss, demote, suspend or discipline for a period of greater than three (3) working days, except as may otherwise be provided in these Rules, and for the transfer of classified employees, together with all responsibilities assigned to the Commission by Article IX of the Charter.

- (a) Verified charges may be filed with the Commission setting forth cause for disciplinary action against Civil Service employees by any resident of the City. The Commission may conduct investigations and hold such hearings as it deems appropriate to determine the facts. If the Commission finds the charges true, it may order the suspension, dismissal or discipline of the employee.
- (b) The Commission on its own initiative may conduct investigations and hearings with respect to violations of Article IX or Civil Service Rule XI and impose such sanctions as it deems appropriate.

Section 2. Investigation.

All claims or complaints shall be in writing. The Commission, if it deems advisable, shall cause a preliminary investigation of any complaint or claim so presented. During the course of such investigation, the duly appointed officer of the Commission shall have authority to administer oaths, require the production of relevant books or records, and the attendance of any officer, employee or other person. In the event such investigation does not resolve the matter satisfactorily, a written report shall be rendered as guidance to the Commission in the conduct of a formal hearing. In case the Commission orders such a hearing, it shall set a time and place for the same and notify the parties involved and the City Manager.

Section 3. Claims.

The claim of any classified employee whose name appears on an eligible list, or who has been deprived of, or separated from, a position to which entitled, or the complaint of any employee or a representative regarding conditions of Civil Service employment, may be presented to the Commission for investigation. A claim must be filed with the Chief Examiner not later than ten (10) working days following the effective date of such layoff. Should the investigation, as provided by Section 2, above, result in a hearing, then the procedure as set forth in Section 7, following, shall prevail.

Section 4. Administrative Complaints.

Any employee in the classified service who desires to claim exemption to an administrative action of the Commission which affects status, to include the contents or procedures of an examination, may present such complaint directly to the Commission. All such complaints must be in writing and filed with the Chief Examiner within ten (10) working days of notification of the action by the Commission or upon completion of the examination review period, except as otherwise provided by these Rules, and except further than in the case of a departmental disagreement regarding classifications the time limit does not apply. Failure to file within the prescribed time shall be considered as acceptance of the action of the Commission and the action shall be deemed complete. Such complaints shall not be subject to the formal appeals procedure. Should the Commission grant review of a complaint, it shall do so in any manner it deems most appropriate. Any required hearing shall be under the provision of Section 7, following.

Section 5. Appeals.

Any employee in the classified service who has been suspended for a period of greater than three (3) working days, reduced in rank or discharged may appeal such action to the Commission. All appeals must be in writing and filed with the Chief Examiner of the Commission within ten (10) working days from date of filing of such order with the Commission or from date of service of such order on the employee, whichever is later. The Commission shall provide a copy to the City Manager of any appeal so filed. Failure to file within the prescribed time shall be considered as acceptance of the action and the action shall be deemed complete.

Section 6. Appeals Procedure.

Upon receipt of an appeal, the Commission shall set a date of hearing to be held not less than five (5) calendar days nor more than fifteen (15) calendar days after filing of the appeal; except in those cases of the administrative leave without pay involving court charges (see Rule XI, Section 5), in which event the Commission shall, upon its own volition or at the request of the City Manager, delay such hearing pending disposition of the charge or charges. The hearings must be reported and may be transcribed if a transcript is necessary for a deliberation of the Commission or for an appeal to the district court. The Commission shall transmit its decision in writing to both parties within seven (7) calendar days after the hearing. No member of the Commission shall permit any person to discuss the merits of an appeal prior to the hearing.

Section 7. Hearings.

Hearings by the Commission shall be open to the public unless permitted to be closed under Nevada's Open Meeting Law. Hearings shall be informal with technical rules of evidence not applying except the rules of privilege recognized by law. In all appeals to the Commission, the office of the City Attorney shall represent the interest of the City. All parties to the hearing shall be notified in advance of such hearing, and may at their own expense select an attorney or representatives of their choosing, present and cross-examine witnesses and give evidence before the Commission. The Commission may, and shall at the request of either party, secure by subpoena the attendance of witnesses residing within fifty (50) miles of the City of Reno and to subpoena the production of books, records, and other evidence necessary and relevant to the hearing. The Commission may punish for contempt in the same manner provided by law for governing of trials before Justices of the Peace. However, any fees or expense of any kind for the appearance of such witnesses shall be in accordance with NRS 50.225, as amended or as may be amended. All testimony shall be under oath administered by the Commission or its agent. Hearings on appeal must be recorded as required under Nevada's Open Meeting law and may be reported or transcribed if a transcript is necessary for a deliberation of the Commission or for an appeal to the district court. The Commission shall render its decision within seven (7) calendar days from the date of the hearing. No charges other than those furnished in writing shall be heard against the person so charged.

Section 8. Commission Action.

- (a) The action of the City Manager or the Manager's delegate to remove an employee in the classified service from employment shall become final unless appeal is filed and thereupon the action of the City Manager is affirmed, modified or revoked by the Commission. If the appeal results in tie vote of the Commission, which does not affirm, modify or revoke the action of the City Manager, the action of the City Manager shall be final.
- (b) No employee shall be deprived of wages and benefits during the period of time the Commission, upon timely application by the employee, reviews the action of the City Manager or the Manager's delegate unless extraordinary and exigent circumstances exist which, in the best interests of the City, require immediate suspension, discipline, discharge or layoff of the employee by the City Manager.
- (c) In no event shall the employee be deprived of any salary or wages for the period of time in which the Commission reviews the action of the City Manager through the appeal process delineated in this Rule unless the employee requests an additional period of time other than provided in these Rules. If such a request for additional time is made by the employee, the Commission shall not grant such a request unless the employee waives the right to wages and benefits for the additional time requested.

- (d) The correction of an examination, rating or place on an eligible list shall not affect an eligible that has been certified from the register and interviewed and appointed. All challenges to the Commission regarding examination content or procedure shall be handled in accordance with Section 4, preceding.
- (e) Within one hundred eighty (180) calendar days after service of the decision, any person who is aggrieved by a final decision of the Commission may petition the district court in Washoe County for relief in the form of a writ of certiorari, mandamus or prohibition where such relief is otherwise authorized by Chapter 34 of NRS or other applicable law.

RULE XV. RECORDS AND REPORTS

Section 1. Personnel Records.

- (a) The City Manager shall set up procedures for and supervise the maintenance of personnel records applicable to Civil Service employees as such records are necessary for the City and for Civil Service to assure proper adherence to these Rules, the City personnel program and applicable ordinances and laws. Such records shall be open to inspection by the Chief Examiner.
- (b) The Commission through its Chief Examiner shall have access to personnel records for Civil Service employees to obtain the personnel status record of each employee in Civil Service which shall contain, in addition to necessary personal history data, name, current address and telephone number, department and sub-unit to which assigned, classification of any position occupied with inclusive dates, appointing officer, salary received, length of service, results of examinations taken, any changes in status, and other pertinent information as deemed necessary to provide a complete history of city service. The Commission shall be the central repository for all classified personnel records, which shall include complete application forms, examination records,, and any reports or correspondence which affect the history of the employee's employment with the City.
- (c) All personnel records for employees in Civil Service shall be handled and administered as confidential records. These files shall contain a copy of action forms submitted by the appointing authority or by Civil Service.

Section 2. Reports.

- (a) Applicant and Eligible. It shall be the sole responsibility of each applicant for examination and each person on an eligible list for appointment to promptly report to the Commission the following information:
 - (1) Any change in name, address and telephone number.
 - (2) Any failure or refusal to accept appointment or promotion with the reasons herefore.
 - (3) Any request for waiver of consideration for appointment or promotion with the reasons therefore.

Failure to do so shall constitute cause for rejection of application or removal from the eligible list, as appropriate.

- (b) Personnel. The Human Resources Department and the appointing authority shall report promptly to the Commission on the forms established by the Commission through its Chief Examiner, the following information in regard to Civil Service personnel and departmental organization:

- (1) Every appointment, transfer, promotion, demotion, reduction, layoff, suspension, reinstatement, leave of absence without pay, and return to duty from leave of absence without pay.
- (2) Every termination from the service with the reasons therefore.
- (3) Every refusal or neglect to accept appointment by a person whose name has been certified.
- (4) Every rejection of an eligible certified from a promotion eligible list with reason therefore.
- (5) The creation or abolition of any position and the cause of such action.
- (6) Any other reports requiring the action or sanction of the Commission.

APPENDIX A

RENO MUNICIPAL CODE

Chapter 2.20 – Code of Ethics for Public Officials

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CHAPTER 2.20 CODE OF ETHICS FOR PUBLIC OFFICIALS, RENO MUNICIPAL CODE

Sec. 2.20.110 Purpose and Intent.

The City Council hereby finds and declares as follows:

- (1) The people have a right to expect from the elected and appointed representatives at all levels of government assurances of the utmost integrity, honesty and fairness to be assured in their dealings.
- (2) The people further have a right to be assured to the fullest extent possible that the private financial dealings of their governmental representatives and of candidates for those offices, present no conflict of interest between the public trust and private gain.
- (3) The representative form of government is founded upon a belief that those entrusted with the offices of government have nothing to fear from the full public disclosure of their business holdings as they pertain to the business before the city. To these ends, the City Council hereby enacts this chapter. The City Council hereby intends to sustain, to the extent necessary, public confidence in government at all levels, by assuring the people of the impartiality of their officials in all governmental transactions and decisions.

The provisions of this chapter are to be construed liberally to the end that the public interest be fully protected.

(Ord. 4506 §1, 4-25-95)

Sec. 2.20.120 Definitions.

For purposes of this chapter, certain words and phrases are defined and certain provisions shall be construed as hereinafter set forth unless it is apparent from the context that a different meaning is intended. Whenever any words and phrases used in this chapter are not defined in this section but are defined in the state laws regulating such matters, any such definition therein is deemed to apply for such words and phrases used in this chapter.

Business entity means any corporation, general or limited partnership, limited liability company, sole proprietorship (including a private consultant operation), syndicate, joint venture, unincorporated association of firm, institution, trust, foundation or any other organization whether or not organized for profit. Business entity does not include local, state or federal agencies or political subdivisions.

Campaign contribution means all donations of money, subscriptions, services in kind, pledges, loans, conveyances, deposits, payments, transfers, distributions of money or anything of economic value from all sources. "Service in Kind" means any donation of materials or professional services which would otherwise require payment, the name of any individual who solicits funds on behalf of a candidate and the name of any individual who volunteers more than ten hours of their time to the candidate's campaign.

Campaign expenditure means any and all expenditures, whether paid for directly, provided as an in-kind service or gift, contracted for or made for advertising on television, radio, billboards,

posters and in newspapers, and all other expenditures, disbursed from the campaign account or contracted for or made to further direct the campaign of the candidate.

Candidate, for the purpose of this chapter, includes any individual seeking election or appointment as a public officer as defined below in this section:

- (1) Who files an affidavit of candidacy; or
- (2) Who files an affidavit to fill a vacancy for the position of a public officer.

City means City of Reno and Redevelopment Agency.

Confidential information means all information whether transmitted verbally or in writing, which is of such a nature that it is not, at the time, a matter of public record or public knowledge.

Family members means persons bearing the following relationship to the individual in question:

- (1) Parents;
- (2) Grandparents;
- (3) Great grandparents;
- (4) Children;
- (5) Grandchildren;
- (6) Great grandchildren;
- (7) Brothers and sisters;
- (8) Nephews and nieces;
- (9) First cousins;
- (10) Spouses;
- (11) Aunts and uncles.

Gift means anything of economic value in excess of one hundred dollars (\$100.00) but not including campaign contributions or gifts from a family member.

Interest, except as otherwise specifically provided, means direct pecuniary or other benefit accruing to a public officer, public appointee or city employee. For purposes of this chapter, a public officer, public appointee or city employee shall be deemed to have an interest in the business or affairs of (1) his or her spouse, child, or other family members; (2) any person or business entity with whom a contractual or business relationship exists with his or her spouse, child, or other family member; (3) any business entity in which his or her spouse, child, or other family member is an officer, director, member or employee; and (4) any business in which his or her spouse, child, or other family member controls or owns, directly or indirectly, one percent or more of the total outstanding stock.

Knowing or knowingly or knows means actual knowledge and “should have reasonably known: and such knowledge shall apply to and be imputed to the public officer, public appointee or city employee from his or her spouse and children.

Official act or action means any legislative, administrative, appointive or discretionary act of a public officer, public appointee or city employee of the city, board, committee or commission thereof.

Public appointee means any person appointed by a public officer to serve on any board, agency or commission charged with the responsibility of advising, recommending or setting policy.

Public officer means the mayor, city council members, city attorney, municipal court judges, planning commission members and board of adjustment members.

Real property means any interest in or option to purchase any interest in any real property in the Truckee Meadows, City of Reno and its spheres of influence, but not including the home in which the public officer resides.

Truckee Meadows, City of Reno and its spheres of influence means that area bounded generally by Virginia City-Mount Rose Highways on the south, Verdi and U.S. forest lands on the west, Reno city (Stead) limits on the north and Vista on the east.

Trust means a legal title of property held by one party, the trustee, for the benefit of another, the beneficiary.

(Ord. No. 4506, §1, 4-25-95)

Sec. 2.20.130. General Requirements.

The following ethical standards are hereby established to govern the conduct of public officer(s), public appointees and city employees:

- (1) A public officer, public appointee or city employee shall not seek or accept any gift, service, favor, employment, engagement, emolument or economic opportunity which would tend improperly to influence a reasonable person in his or her position to depart from the faithful and impartial discharge of his public duties.
- (2) A public officer, public appointee or city employee shall not use his or her position in government to secure or grant unwarranted privileges, preferences, exemptions or advantages for him or herself, any family member, any business entity, or any other person.
- (3) A public officer, public appointee or city employee shall not participate as an agent of government in the negotiation or execution of a contract between the city and any person or business entity in which he or she has an interest.
- (4) A public officer, public appointee or city employee shall not accept any salary, retainer, gift, augmentation, expense allowance or other compensation from any private source for the performance of his or her public duties.
- (5) A public officer, public appointee or city employee acquires, through his or her public duties or relationships, any information which by law is not at the time available to people generally, he or she shall not use the information to further the interests of him or herself or any other person or business entity.
- (6) A public officer, public appointee or city employee shall not suppress any governmental report or other document because it might tend to affect unfavorably his or her interests.
- (7) A public officer, public appointee or city employee shall not use governmental time, property, equipment or other facility for a nongovernmental purpose or to benefit his or her interests.

- (8) A public officer or city employee shall not attempt to benefit his or her personal or financial interest through the influence of a subordinate.
- (9) A public officer, public appointee or city employee shall not seek other employment or contracts through the use of his or her official position.
- (10) A public officer, public appointee or city employee shall not receive or acquire an interest in or an Interest affected by a contract, transaction, land use decision or other matter at a time when such person knows the interest will be directly affected by an official act or action of the city.

(Ord. No. 4506 §1, 4-25-95)

Sec. 2.220.140. Additional standards.

- (a) Except as otherwise provided in subsections (b) or (c), a public officer or public appointee may vote upon a matter if the benefit or detriment accruing to him or her as a result of the decision, either individually or in a representative capacity as a member of a general business, profession, occupation or group, is not greater than that accruing to any other member of the general business, profession, occupation or group.
- (b) In addition to the requirements of section 2.20.130, a public officer or public appointee shall not vote upon or advocate the passage or failure of, with respect to which the independence of judgment of a reasonable person in his or her situation would be materially affected by:
 - (1) His or her acceptance of a gift or loan;
 - (2) His or her pecuniary interest; or
 - (3) His or her commitment in a private capacity to the interests of others.

It shall be presumed that the independence of judgment of a reasonable person would not be materially affected by his or her pecuniary interest where the resulting benefit or detriment accruing to him is not greater than that accruing to any other member of the general business, profession, occupation or group.

- (c) A public officer, public appointee or city employee shall not approve, disapprove, vote, abstain from voting, or otherwise act upon any matter:
 - (1) Regarding which he or she has accepted a gift or loan;
 - (2) Which would reasonably be affected by his commitment in a private capacity to the interest of others; or
 - (3) In which he or she has a pecuniary interest, without disclosing the full nature and extent of the gift, loan, commitment or interest. Such a disclosure must be made at the time the matter is considered. If the public officer, public appointee or city employee is a member of a body which makes decisions, he or she shall make the disclosure in public to the chairperson and other members of the body.
 - (4) If a public officer or public appointee declares to the governmental body in which the vote is to be taken that he or she will abstain from voting because of the requirements of this section, the necessary quorum to act upon and the number of votes necessary to act

upon the matter, as fixed by any statute, ordinance or rule, is reduced as though the member abstaining were not a member of the body or committee.

(Ord. No. 4506 § 1, 4-25-95)

Sec. 2.20.150. Advisory opinions.

- (a) When any public officer, public appointee or city employee has a doubt as to applicability of any provision of this chapter to a particular situation or as to the definition of terms used herein, such officer, appointee, or employee may apply to the city attorney for a formal opinion. The officer, appointee or employee shall have the opportunity to present his or her interpretation of the facts at issue and the applicability of provisions of the ordinance before such formal opinion is made. The city attorney may, where appropriate, refer the matter to the state ethics commission, the district attorney's office or to outside counsel if necessary.
- (b) Such opinion, until amended or revoked, shall be binding on the city, the city council and the city attorney in any subsequent actions concerning the public officer, appointee or employee who sought the opinion and acted on it in good faith, unless material facts were omitted or misstated in the request for a formal opinion. Such opinion shall not be binding in any action initiated by any private citizen.

(Ord. No. 4506 §1, 4-25-95)

Sec. 2.20.160. Enforcement.

- (a) The city attorney shall have the primary responsibility for enforcement of this chapter. The city attorney shall have the power to investigate any complaint, to initiate corrective action and to recommend any other appropriate action on behalf of the city where it believes such action is appropriate.
- (b) The city council may direct the city attorney's office to investigate or prosecute, through the city attorney, any apparent violation of this chapter or the council may employ or appoint any qualified attorney to investigate or prosecute any violation or series of violations by one or more persons of this chapter consistent with the provisions of the Reno City Charter.
- (c) Any person who believes that a violation of any portion of this chapter has occurred may file a complaint with the city attorney's office which may thereafter proceed as provided for under section 2.20.160 and 2.20.170. However, nothing in this chapter shall be construed to prevent complainants from filing a complaint with the state ethics commission or instituting direct legal action through the appropriate judicial authority.

(Ord. No. 4506 § 1, 4-25-95)

Sec. 2.20.170. Violations and penalties.

- (a) When a public officer or a candidate violates a provision of this chapter or fails to file any statement required under this chapter, or when such statement appears to be in violation of any provision of this chapter, the city clerk shall send written notice to such candidate or public officer for the purpose of obtaining compliance herewith, or a corrective or completion of such statement.

- (1) If the city clerk is unable, within ten days following such notification, to obtain compliance, the clerk shall file a complaint with the city attorney.
- (b) Any candidate or public officer who fails to file the statements required under this chapter or refuses to correct or complete such statements is guilty of a misdemeanor.
- (c) Any public officer who willfully and knowingly violates any of the provisions of this chapter shall be punishable [punished] by a fine not to exceed \$1,000.00.
- (d) Any public officer who willfully and knowingly violates this chapter shall also be subject to removal from office pursuant to section 3.150 of the charter of this city.
- (e) Any contract, transaction, land use decision or other matter which was the subject of an official act or action of the city which involved the violation of the provision of this chapter shall be reconsidered at the next regular council meeting after discovery and shall be voidable at the option of the council.
- (f) Any city employee who willfully and knowingly violates this chapter may be subject to removal by his or her appointing authority.
- (g) Any candidate or public officer who willfully or knowingly falsifies any statement required under the provision of this chapter is guilty of a misdemeanor.
- (h) Any public appointee who willfully and knowingly violates this chapter shall be subject to immediate removal by his or her appointing public officer.
- (i) Where the violation of the provisions of this chapter is threatened or has occurred, the city attorney, district attorney's office or special prosecutor, as may be required, may bring a civil action or proceeding at law or in equity for a judgment enjoining the violation of the provisions of this chapter.

(Ord. No. 4506 §1, 4-25-95)

Sec. 2.20.180. Disclosure; public officers and candidates.

- (a) Form of statement; duty of city clerk. The city clerk shall prepare forms for statements and other information required by this chapter and shall furnish such forms and information free of charge for use by persons subject to the requirements of this chapter and shall notify each person required to file under this chapter. The city clerk shall notify the city attorney and public officer or candidate when anyone required to file a statement fails to do so within the prescribed time.
- (b) The city clerk and city attorney shall designate a member of his or her staff performing the clerical functions related to the review of the statements of disclosure pursuant to this section. Such statements shall be maintained as public records. The city clerk shall maintain all disclosure forms for a period of not less than six (6) years.
- (c) The city attorney's office;
 - (1) May adopt procedural regulations to facilitate the receipt of inquiries and prompt rendition of its opinions;

- (2) Shall inform the city clerk of all cases of noncompliance with the requirements.
- (3) Shall recommend to the city council such further changes as the city attorney considers desirable and necessary to promote and maintain the highest standards of ethical conduct and government.
- (d) Filing by public officer. All public officers shall file with the city clerk for review by the city attorney's office and the public by request, no later than the 15th day of April of each year, under penalty of perjury, a disclosure statement for the immediately preceding calendar year (January 1st through December 31st). Such disclosure statement shall contain the information as set forth in subsection (g) of this section.
- (e) Filing by candidate. Each candidate for any city elective office shall file with the city clerk for review by the city attorney and by the public by request, under penalty of perjury, no later than May 15, 1995, and thereafter no later than the 10th day after the last day to qualify as a candidate for the office, a disclosure statement containing the information set forth in subsection (g) of this section.
- (f) Appointed public officer. Every public officer who is appointed shall file with the city clerk a statement of disclosure at the time of their application for appointment and thereafter no later than the 15th of April of each year. All such public officers shall file, under penalty of perjury, a disclosure statement for the immediately preceding calendar year (January 1st to December 31st). Such disclosure statement shall contain the information set forth in subsection (g) of this section. The city clerk shall place the disclosure statement in the public records. The city attorney shall review the disclosure statements and report their findings and concerns thereafter to the city council. During the course of their review, the city attorney shall have access to all disclosure forms previously filed by the public officer or candidate.
- (g) Information required. The following information is required:
 - (1) Name, address and phone number, if any, of the public officer.
 - (2) The length of residence in the state and length of residence in the city.
 - (3) The precinct in which the public officer is registered to vote.
 - (4) The principal address and general description of the business activity of any business with the City of Reno or within the County of Washoe in which the public officer or spouse or children, at any time during the immediate preceding calendar year:
 - a. Has had direct pecuniary interest;
 - b. Has served as an officer, director, member or employee;
 - c. Has controlled or owned, directly or indirectly, one percent or more of the total outstanding stock.
 - (5) In the case of a gift in excess of \$100.00, the amount and source of the gift and the date on which the gift was received if the donor does business with the city by appearing before the city council or appears on cash disbursement lists presented to the city council. Exception: Candidates need not comply with this requirement.

- (6) The source or sources of each loan exceeding \$1,000.00. Exceptions: the mortgage on the residence of the public officer or candidate, a loan for the purchase of an automobile for private use or revolving balance, the source of which is a credit card.
- (7) In the case of real property, a listing of all real property or interest therein, including options to purchase, located in the Truckee Meadows, City of Reno and its spheres of influence, together with the specific location, particular use and name, if any, by which said property is commonly known, whether said real property was owned outright or held in whole [or] in part under a business entity. Exception: city residence of a public officer or candidate.
- (8) Each source of the public officer's income, including the public officer's spouse and children or any member of his or her household. No listing of individual clients or customers is required, but if that is the case, a general source as "professional service" must be disclosed.
- (9) Whether the public officer or candidate has ever been convicted of a felony during the last fifteen (15) years. If yes, explain the circumstances.
- (10) Whether the public officer or candidate has filed bankruptcy within the last seven (7) years or has been subject to a debt collection judgment in federal, state or local court within the last three (3) years.
- (11) Whether the public officer or candidate has been subject to a judgment for child support arrearages within the last three (3) years.
- (12) The names and addresses of boards and commissions the public officer or candidate presently serves on except for any and all boards and commissions a public officer is appointed to by the city council.

(Ord. No. 4506 §1, 4-25-95)

Sec. 2.20.190. Campaign contributions and expenditures; reports required.

- (a) Every candidate for city office at a primary or general election shall report all campaign contributions on forms designed and provided by the city clerk and signed by the candidate under penalty of perjury, no later than:
 - (1) Fifteen (15) days before the primary city election, for the period from thirty (30) days after the last election for that office up to twenty (20) days before the primary election;
 - (2) Fifteen (15) days before the general city election, whether or not the candidate won the primary election, for the period from twenty (20) days before the primary election up to twenty (20) days before the general election; and
 - (3) The fifteenth (15th) day of the second month after the general city election, for the remaining period up to thirty (30) days after the general election.
- (b) Every candidate for city office where there is no primary election shall file the reports not later than:

- (1) Twenty (20) days before the general election, for the period from thirty (30) days after the last election of that officer up to thirty (30) days before the general city election; and
 - (2) The fifteenth (15th) day of the second month after the general city election, for the remaining period up to thirty (30) days after the general city election.
- (c) Every candidate for city office at a special election to determine whether a public officer will be recalled shall report his or her campaign contributions on forms designed and provided by the city clerk and on forms designed and provided by the secretary of state and signed by the candidate under penalty of perjury, thirty (30) days after the special election, for the period from the filing of the notice of intent to circulate the petition for recall up the special edition.
- (d) Except as otherwise provided in subsection (3), every person who is not under the direction or control of a candidate or group of candidates or of any person involved in the campaign of that candidate or group who makes an expenditure on behalf of the candidate or group which is not solicited or approved by the candidate or group and every committee for political action which makes an expenditure on behalf of a candidate or group of candidates shall:
- (1) Report the expenditure or contribution on the form designed and provided by the city clerk and approved by the secretary of state and shall sign the reports under penalty of perjury. Such reports shall be made:
 - a. Fifteen (15) days before a primary election, for the period from thirty (30) days after the last election for that office to twenty (20) days before that election;
 - b. Fifteen (15) days before a general election whether or not the candidate won the primary election, for the period from twenty (20) days before that election to twenty (20) days before the general election; and
 - c. The fifteenth (15th) day of the second (2nd) month after a general election, for the remaining period up to thirty (30) days after the general election.
 - (2) The reports must be filed with the city clerk.
- The city clerk shall file a copy of the report designed and provided by the secretary of state with the secretary of state within ten (10) working days after receipt of the report. The report designed and furnished by the city clerk shall be retained by the city clerk.
- (3) The provisions of this subsection do not apply to a political party or committee sponsored by a political party.
- (e) The report shall contain all the information set forth below:
- (1) Name, address and phone number, if any, of the candidate.
 - (2) Each campaign contribution, whether from a natural person, firm, association, union, business, political action or other committee, or any other source must be separately identified with the name and address of the contributor and the date of the contribution, tabulated and reported in the form provided by the city clerk.
 - (3) Each campaign expenditure must include:

- a. For each expenditure of more than \$250.00;
 - 1. The category of the expenditure;
 - 2. The name and address of the person who received payment for the expenditure; and
 - 3. The amount and date of the payment for the expenditures;
 - b. The total amount spent for each category of the expenditure;
 - c. The total amount spent for all categories of expenditures.
- (f) Reports of campaign contributions shall be made under penalty of perjury and filed with the city clerk. A candidate may mail his or her report to the city clerk by certified mail. If certified mail is used, the date of the mailing shall be deemed the date of filing.
- (g) The city clerk shall retain each report for the public record at City Hall.
- (h) In addition to the provisions of this section, candidates for city office must comply with the applicable provisions of Chapter 294A of the Nevada Revised Statutes.

(Ord. No. 4506, §1, 4-25-95)

Sec. 2.20.200. Distribution of code of ethics ordinance.

The city clerk shall cause a copy of this code of ethics ordinance to be distributed to every public officer or candidate as soon as possible after enactment of this chapter. Each public officer shall be furnished a copy before entering upon the duties of his office or employment.

(Ord. No. 4506 § 1, 4-25-95)

Sec. 2.20.210. Severability.

If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this chapter or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this chapter or any part thereof. The city council of the City of Reno, Nevada, hereby states that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutionally invalid or ineffective.

(Ord. No. 4506 §1, 4-25-95)

APPENDIX B

RENO CITY CHARTER, ARTICLE IX, CIVIL SERVICE

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CIVIL SERVICE COMMISSION
RENO CITY CHARTER, ARTICLE IX
CIVIL SERVICE

Section 9.010. Civil Service: Objectives.

The purpose of this article is to provide the City with an efficient workforce, with equity to all persons concerned. To attain this objective:

1. All appointments and promotions to positions in the Civil Service must be made on the sole basis of merit and fitness, without regard to non-job-related considerations.
2. Career and promotional opportunities must be readily available to employees.
3. A high level of performance is required of employees to meet their obligations to the City administration, to the users of City services and to the taxpayers.

Section 9.020. Civil Service and exempt positions.

1. A Civil Service System is created for the selection, appointment and promotion of all employees of the City except:
 - (a) A person elected or appointed to a position pursuant to this Charter.
 - (b) A person who serves as a member of any board, commission, committee or other body created pursuant to the authority of the City.
 - (c) A person employed by the City for less than 18 hours per week.
 - (d) A person for whose position half or more of the money is provided by a source other than the City.
 - (e) A person employed as a trainee for a period of time which is not more than that period prescribed for a probationary employee.
 - (f) An employee of the Municipal Court who is hired directly by the Court.
2. The provisions of this article are not applicable to the selection, appointment, promotion, demotion, transfer, suspension, discipline or dismissal of any person described in subsection 1.
3. Any employee whose position was within the provisions of the Civil Service System before June 2, 2013, shall retain all rights and benefits to which he or she would otherwise be entitled under the Civil Service System.

Section 9.030. Civil Service Commission: Number, appointment, qualifications, terms, compensation of members.

1. A Civil Service Commission is created to carry out the provisions of this article. The Commission consists of seven members appointed by the Mayor with the approval of the City Council.

2. Members must:
 - (a) Be residents of the City.
 - (b) Have no other connection with the City government.
 - (c) Hold no elective office.
 - (d) Serve for terms of five years.
 - (e) Receive compensation as provided by City ordinance.
3. One term of office shall begin on the second Monday in July in each successive year. A member shall serve until his or her successor is appointed and qualified. A vacancy occurring during a term must be filled by the Mayor with the approval of the City Council for the remainder of that term.

Section 9.040. Commission meetings.

The Commission shall provide by rule for the holding of not less than one regular meeting per month, for special meetings as needed, for the election of one member as Chair, for the election of one member or appointment of a nonmember as Secretary, for public announcement of the time and place of meetings, and for meetings to be open to the public except as provided for by Commission rule. A special meeting of the Commission may be called by the Chair of the Commission.

Section 9.050. Authority of Commission.

Except as otherwise provided in this Charter, the Commission has authority over and is responsible for:

1. All phases of the selection, appointment and promotion of employees in the Civil Service;
2. The appeal rights of such employees in regard to dismissal, demotion, suspension and disciplinary actions; and
3. The transfer of employees, together with all responsibilities assigned to the Commission by this article.

Section 9.060. Rules.

1. Except as otherwise provided in this section, the Commission shall adopt or amend rules for the Civil Service System, consistent with the provisions of this article. The Commission shall give or cause to be given at least 10 days' notice of time and place of a public meeting of the Commission on proposed rules by posting the notice and a copy of each proposed rule on the bulletin board of each department and by giving a copy of the notice and each proposed rule to the City Council, the City Manager, each department head, and the president or secretary of each employee organization formally recognized by the City. At the meeting, the Commission shall permit a representative of the City Council or the City Manager, or both, to comment on any proposed rule. Any amendment of the rule governing the number of qualified persons certified to the appointing authority on the Civil Service eligibility list is not effective until the amendment is approved by the City Council.
2. The rules adopted by the Commission must provide for the following matters relating to the Civil Service System:
 - (a) The review and approval by the Commission of minimum qualifications set out in class specifications for positions.
 - (b) Open and promotional recruitment of employees.

- (c) The development and scoring of examinations of candidates for positions.
 - (d) The development, maintenance and certification of Civil Service eligibility lists, which must include criteria for the use of selective certification as applicable to a position.
 - (e) Procedures for emergency, temporary, provisional and such other types of appointments as the Commission deems desirable to facilitate the business of the City.
 - (f) The establishment of probationary periods, procedures for the confirmation of employees into the Civil Service System after completion of any applicable probationary period, and procedures for the dismissal of probationary employees, including, without limitation, the identification of circumstances in which a probationary employee, including, without limitation, a promoted employee, may not be dismissed by the head of a department without right of appeal.
 - (g) Procedures for the promotion of employees and any right of promoted employees to return to their previous positions.
 - (h) Procedures for the transfer and layoff of employees.
 - (i) Procedures for investigating and hearing appeals relating to the discipline or discharge of employees or alleged violations of the rules of the Commission.
3. A copy of all rules adopted and all changes in them must be filed in the Office of the City Clerk. The Commission shall cause the rules and all changes in them to be distributed as it deems necessary, except that the Commission shall cause a copy to be made available to all officers and employees of the City on the City's Internet website or in such other format as the Commission determines is appropriate.
 4. The head of each department may adopt procedures for the governance of his or her department not inconsistent with this article or the rules of the Commission adopted thereunder.
 5. As used in this section, "selective certification" means the certification of a person for inclusion on a Civil Service eligibility list for a position based upon specialized knowledge, skills or abilities of the person, in addition to those required to meet the minimum qualifications for the position, that are required to perform the duties of the position successfully.

Section 9.070. Chief Examiner.

The Commission shall appoint a Chief Examiner who shall serve at the pleasure of the Commission. The Chief Examiner shall administer the provisions of this article in regard to the selection, appointment and promotion of employees in the Civil Service, under the direction of the Commission and within restrictions established by the Commission.

Section 9.080. Leaves of absence without pay.

The City Manager may promulgate rules governing leaves of absence without pay, subject to the approval of the Commission after public hearing.

Section 9.100. Reports of employee performance.

The Commission shall have authority to require from time to time reports on the performance and efficiency of employees and to require medical examinations of any employee, and to obtain the results thereof. Each employee shall be entitled to see all such reports concerning him or her.

Section 9.110. Agreements.

The Commission shall have authority to make agreements to enter into cooperative arrangements with or to obtain assistance from other agencies or persons for the purpose of improving the efficiency or quality of the services it provides.

Section 9.120. Blanketing into Civil Service.

When positions which have not been within the Civil Service are declared by law to be included in the Civil Service, the Commission may authorize the probationary appointment to such positions of employees who have held those positions satisfactorily for a period of 1 year. Other employees in such positions may be given temporary or provisional appointments as ordered by the Commission.

Section 9.130. Return to Civil Service.

An employee with confirmed Civil Service rating who is appointed to an exempt position shall not lose his or her Civil Service rating while serving in that exempt position.

Section 9.140. Layoff.

Whenever in the judgment of the City Council it becomes necessary to reduce the staff of any City department such reduction of staff shall be accomplished pursuant to rules adopted by the Commission designed to encourage interdepartmental transfers and other procedures tending to minimize the impact of layoffs.

Section 9.150. Support.

The City Council shall provide such employees, facilities and funds necessary or proper for the purpose of enabling the Commission to accomplish its functions and purposes set forth in this article.

Section 9.160. Prohibited acts.

1. No appointment to or removal from a position in the Civil Service may be affected in any manner by any person's:
 - (a) Race, color, national origin, age, sex, marital status, sexual orientation, gender identity or expression, disability, membership or nonmembership in an employee organization, religion, religious beliefs or affiliations, or any other characteristic for which such action is prohibited by the law of the State or of the United States, except when based upon a bona fide occupational qualification or otherwise authorized by law.
2. Political beliefs or affiliations except if that person advocates or is a member of any organization that advocates the overthrow of the government of the United States by other than lawful means.

3. A person shall not practice any deception, fraud or unfair practice with respect to application, examination, employment or any other procedure authorized under this article or Commission rule, or in any information given to the Commission.

Section 9.170. Penalties.

Any employee who is found by the Commission to have violated any of the provisions of this article or of a Commission rule may be dismissed, demoted, suspended or disciplined by the Commission, pursuant to Commission rules.

Section 9.180. Class specifications.

The City Manager may adopt and revise specifications for the classes of positions in the Civil Service. Each class specification shall include a title, a definition or statement of the characteristics of the class, a list of typical tasks or examples of the duties of the class, and a statement of the desirable minimum qualifications of employees in the class. The desirable minimum qualifications shall be subject to review and approval by the Commission as part of its responsibility for recruiting and selecting employees.

Section 9.230. Assistance in examinations.

It shall be the duty of all departments, officers and employees of the City to assist the Commission in the development and administration of examinations as requested by the Commission.

Section 9.260. Duties and authority of City Manager.

1. All employees in the Civil Service, other than those employed by the Commission, shall hold their positions at the pleasure of the City Manager and shall perform their assigned duties under his or her direction, subject to the provisions of this article. No employee in the Civil Service shall be suspended, demoted, dismissed or disciplined except as provided in this article.
2. The City Manager or his or her delegate may bring disciplinary action against any employee in the Civil Service who:
 - (a) Is unable to or fails for any reason to perform his or her duties properly and efficiently.
 - (b) Is guilty of any actions which reduce his or her effectiveness as an employee or bring discredit on the City service.
 - (c) Has violated any provision of this article or of Commission rules.
3. The City Manager shall immediately report any suspension of more than 3 days or any action of demotion or termination to the Secretary of the Commission and at the same time deliver to the Secretary and to the affected employee copies of a complaint setting forth the action taken and the reasons for that action, with the name of the original complainant if other than the City Manager.
4. Whenever a written complaint against any employee in the Civil Service is made to the City Manager he or she shall immediately communicate it to the Secretary of the Commission.
5. The City Manager or his or her delegate have the authority to adjust an employee's salary within the salary range for the class on the basis of quality and quantity of the employee's work. The Commission shall by rule provide for appeals from such adjustment on a showing that it was made principally for disciplinary purposes.

Section 9.270 Appeals to the Commission

1. An employee in the Civil Service who has been suspended for a period of more than 3 days or who is the subject of an action by the City Manager to demote or terminate him or her may appeal such action to the Commission by serving the Secretary of the Commission with a written notice of appeal within 10 days after such action. The Commission shall set the time for hearing the appeal not less than 5 nor more than 15 days after the date of service of the notice of appeal.
2. The Commission shall adopt a rule for hearing such appeals and making any investigations it deems appropriate. In all appeals to the Commission, the City Attorney shall represent the interest of the City.
3. In connection with any hearing or investigation contemplated by this article each member of the Commission may administer oaths, secure by subpoena the attendance of witnesses residing within 50 miles of the City and the production of books and papers relevant to the hearing or investigation, compel witnesses to answer and punish for contempt in the same manner as provided by law for the governing of trials before justices of the peace for failure to answer or produce books and other evidence necessary for the hearing. All witnesses must be under oath. The accused has the right to be heard in person and by attorney in his or her own defense and is entitled to secure the attendance of witnesses at the expense of the City if within the reach of the Commission's subpoena and necessary for his or her defense. Upon a showing of necessity an accused may secure from the Commission an order requiring the taking of depositions of witnesses who are necessary to his or her defense and not within the reach of a subpoena. The Commission shall determine to what extent the expense of such depositions will be paid for by the City. Hearings on appeal must be reported and may be transcribed if a transcript is necessary for a deliberation of the Commission or for an appeal to the district court. The Commission shall render its decision within 7 days after the date of the hearing.
4. The action taken by the City Manager may be affirmed, modified or revoked by the Commission. If the Commission finds that the reason for which the action was taken is insufficient it must modify or revoke the action.
5. The Commission shall adopt a rule for the hearing and disposition of appeals concerning procedures or the content of examinations.

Section 9.280. Disciplinary authority of Commission; judicial review.

1. Verified charges may be filed with the Commission setting forth cause for disciplinary action against any Civil Service employee by any resident of the City. The Commission may conduct investigations and hold such hearings as it deems appropriate to determine the facts. If the Commission finds the charges true it may order the suspension, dismissal or discipline of the employee.
2. The Commission on its own initiative may conduct investigations and hearings with respect to violations of this article or rules of the Commission and impose such sanctions as it deems appropriate.
3. Within 180 days after service of the decision, any person who is aggrieved by a final decision of the Commission may petition the district court in the County for relief in the form of a writ

of certiorari, mandamus or prohibition where such relief is otherwise authorized by Chapter 34 of NRS or other applicable law.

Section 9.290. Salary of suspended, demoted or disciplined employee.

No employee shall be deprived of any salary or wages for the period of time he or she may be suspended, demoted or dismissed pending a hearing and decision unless such disciplinary action or removal shall be sustained by the Commission.